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STATE OF CALIFORNIA
CALIFORNIA ENVIRONMENTAL PROTECTION AGENCY
CALIFORNIA INTEGRATED WASTE MANAGEMENT BOARD
BOARD MEETING

JOE SERNA JR., CAL EPA BUILDING
CENTRAL VALLEY AUDITORIUM
1001 I STREET, SECOND FLOOR
SACRAMENTO, CALIFORNIA

THURSDAY, FEBRUARY 22, 2001
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PETERS SHORTHAND REPORTING CORPORATION (916) 362-2345

A P P E A R A N C E S

BOARD MEMBERS PRESENT:

LINDA MOULTON-PATTERSON, Chair
DAN EATON
STEVEN R. JONES
JOSE MEDINA
MICHAEL PAPARIAN
DAVID A. ROBERTI

STAFF PRESENT:

BONNIE BRUCE, Interim Executive Director
KARIN FISH, Chief Deputy Director
KATHRYN TOBIAS, Chief Counsel
ELLIOT BLACK, Legal Counsel
YVONNE VILLA, Board Assistant
DEBORAH MCKEE, Board Assistant

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1 P R O C E E D I N G S

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3 BOARD CHAIR MOULTON-PATTERSON: I'd like to
4 call the February meeting back to order. Hello and
5 welcome to the third day of our February meeting.
6 Welcome back to everybody who's been here.

7 At this time would the secretary please call the
8 roll?

9 COMMITTEE SECRETARY VILLA: Eaton.

10 BOARD MEMBER EATON: Here.

11 BOARD SECRETARY VILLA: Jones.

12 BOARD MEMBER JONES: Here.

13 BOARD SECRETARY VILLA: Medina.

14 BOARD MEMBER MEDINA: Here.

15 BOARD SECRETARY VILLA: Paparian.

16 BOARD MEMBER PAPARIAN: Here.

17 BOARD SECRETARY VILLA: Roberti.

18 (NO RESPONSE.)

19 BOARD SECRETARY VILLA: Moulton-Patterson.

20 BOARD CHAIR MOULTON-PATTERSON: Here.

21 Ex partes. Mr. Eaton.

22 BOARD MEMBER EATON: Up to date, thank you.

23 BOARD CHAIR MOULTON-PATTERSON: Mr. Jones.

24 BOARD MEMBER JONES: Martin Morgatello from
25 Santa Barbara. We just found out he has to get a

1 transfer station. And Donna Carlson from RPA.

2 BOARD CHAIR MOULTON-PATTERSON: Mr. Medina.

3 BOARD MEMBER MEDINA: Up to date.

4 BOARD CHAIR MOULTON-PATTERSON: Mr. Paparian.

5 BOARD MEMBER PAPARIAN: Yeah. Yesterday
6 afternoon I had basically meet and greets with Mr. Israel
7 and his clients, Mrs. Philbin, I'm not sure, but anyway
8 his clients, and Kelly Smith and North Valley Coalition
9 Members.

10 CHIEF COUNSEL TOBIAS: I believe, Mr. Paparian,
11 that that's Mrs. Armand.

12 BOARD MEMBER PAPARIAN: Thank you.

13 BOARD CHAIR MOULTON-PATTERSON: Thank you, Mr.
14 Paparian. And I'm up to date.

15 Okay. Today, we got a little mix and match
16 yesterday because of time, and so we're going to go back
17 today and clean up all the items.

18 My plan at this point is to do item number 26,
19 and Clint's here, on local assistance to begin with; and
20 then we'll move into number seventeen in admin, the
21 reallocation; 29, the audit, our plan for addressing
22 that; and that we'll wind up discussion items beginning
23 with the burn dumps, number eight, and number nine.

24 Did I leave out anything?

25 UNIDENTIFIED SPEAKER: Twenty.

1 BOARD CHAIR MOULTON-PATTERSON: Number twenty,
2 oh, okay. Well, we'll go ahead and do that after number
3 26. We'll do that second. Anything else?

4 UNIDENTIFIED SPEAKER: It has to follow
5 seventeen.

6 BOARD CHAIR MOULTON-PATTERSON: That's right.
7 That's the purpose, so we'll do that after seventeen.

8 Okay. I'll turn it over to Mr. Schiavo, number
9 26. Welcome back.

10 MR. SCHIAVO: Good morning, Board members, my
11 name is Pat Schiavo of the Diversion Planning and Local
12 Assistance Division.

13 And item number 26 is the update on the status
14 of the approved scope of work for the school district
15 diversion program for the fiscal year 1999/2000. And
16 this is contract concept number 62, and Michelle Graham
17 from the Office of Local Assistance will initiate this
18 discussion, and it will be followed up by a contractor.

19 BOARD CHAIR MOULTON-PATTERSON: Thank you. And
20 if I might just interrupt for one more minute, I
21 neglected to say the speaker slips are back at the back
22 of the room. If you wish to speak, please fill one out
23 and give it to Ms. Villa who is right over here, and
24 she'll make sure that we call on you to speak. Thank
25 you.

1 MS. GRAHAM: Good morning, Madam Chair, Board
2 members. My name is Marshalle Graham, I'm a technical
3 Senior in the Office of Local Assistance, and have the
4 pleasure of being assigned the project lead of the school
5 district diversion project.

6 As Pat said, agenda item 26 is an update to the
7 status of the previously approved scope of work for the
8 school district diversion project.

9 And for your information and reference we've
10 provided an outline of today's presentation which you
11 should have a copy of.

12 BOARD CHAIR MOULTON-PATTERSON: Thank you.

13 MS. GRAHAM: At this time I'd like to present
14 Clint Whitney of R&G Associates which is the contractor
15 for this project. He will be giving you the
16 presentation, and at the conclusion of his presentation
17 both he and I will be available to address any questions
18 you have. Clint.

19 MR. WHITNEY: Thank you, Marshalle. Good
20 morning, Madam Chair and Board members.

21 You will recall that we gave you an update about
22 the project in October at the Board meeting in Eureka.
23 And as we promised, we'd come back in February and give
24 you another brief update. And indeed I will try to make
25 it brief because you've had a long three days I can see.

1 So basically to remind you why we have the
2 project is that the non-residential sector of our waste
3 stream in the state, which includes schools, hospitals,
4 prisons, hotels, and large office complexes, those kind
5 of institutional facilities, represents about 60 percent
6 of our solid waste stream, so it's a large segment. And
7 therefore, the premise of the project is if we can make
8 some inroads in getting waste reduction in that segment,
9 we can help our local jurisdictions meet their AB 939
10 goals better.

11 We targeted schools for a lot of reasons. But
12 basically so that we could start with something we knew
13 something about, that was a discrete organizational set
14 of entities that we could identify and work with, and
15 then later on, broaden that to the larger institutional
16 community.

17 The project objectives include development of
18 model materials, solid waste management program for the
19 school district that can be applied to the larger and
20 institutional community. That's the idea.

21 Why did we choose school districts? Again,
22 there's 8,000 schools, there's only a thousand give or
23 take a couple, of school districts. Therefore, if we
24 work with the school districts we can leverage our
25 activity to that 8,000 schools presumably.

1 Secondly, schools are located throughout the
2 state. They're in every community in our state.
3 Therefore, if we impact those schools, we're working in
4 every community in the state.

5 Third, you have a fairly ambitious program for
6 educating students. And while our project is focused on
7 the business end of schools, nonetheless, there is a
8 spillover into that educational side of the school
9 districts that we hope we can make linkages with.

10 And finally, our project objectives in working
11 with schools is to strengthen the relationship between
12 school districts and, by inference, later on other
13 institutional entities, the local jurisdiction and the
14 Integrated Waste Management Board. And we refer to that
15 as our triangle of support.

16 And we're trying to figure out what it takes to
17 institutionalize procedures in those three levels to get
18 the maximum result.

19 Project status. We're through the, what we call
20 the field work. We had six pilot districts, as we had
21 planned; those districts are Visalia Unified School
22 District; Placer High School District; Ravenswood City
23 Elementary School District; Long Beach Unified School
24 District, which is the largest of the pilots; Barstow
25 Unified School District; and Santee Elementary School

1 District.

2 These districts represent, we think, a pretty
3 accurate cross section of our school population, both
4 demographically, ethnically, financially, and about every
5 other way.

6 Some of those communities are struggling to meet
7 AB 939 goals. At least one of those pilot districts is
8 in a city that has already reached its AB 939 goal, but
9 the district hasn't made too much of a contribution we've
10 found out.

11 What we've done is we've gone out into the field
12 with a team of your staff and contractor staff and we've
13 made a waste assessment. Not the classic waste
14 assessment that you have sometimes performed with your
15 staff where you dump dumpsters out on the Tarmac and go
16 through every piece of garbage, we didn't do that.

17 We simply took the statewide average statistics,
18 looked for exceptions to those statistics, and then tried
19 to understand the business of that particular pilot
20 school district well enough to know what the
21 opportunities were for waste reduction and recycling.

22 And we focused on all the heirarchy, looking at
23 all those elements, and hopefully we will be able to
24 identify a methodology that is very focused in school
25 districts. And we then think we'll be more focused when

1 you get into the institutional level.

2 Some initial observations. We found that all of
3 the pilot districts that we visited are engaged in some
4 level of waste reduction or recycling activity. However,
5 they're not doing it for AB 939 goals, they're not doing
6 it out of the kindness of their heart because their
7 community has to meet a mandate, they're doing it for
8 good business reasons, and that was throughout our pilots
9 we found.

10 It is not that they're opposed to helping their
11 community, they're not, but they're in the education
12 business, and part of their job is to be as efficient as
13 they can so that they can deliver their education product
14 better.

15 The, we found that there are certain key
16 elements in districts that are important. One is that
17 the, there is good communications and staff support in a
18 school district. We found that to be lacking in most of
19 the pilots that we looked at, the communication on
20 recycling. Even simple things like which bin to put the
21 cardboard in sometimes was not communicated thoroughly
22 enough, so that you had a very mixed bag of performance
23 out in the district.

24 Proactive haulers are very important to the
25 districts. We find that the haulers really are the key

1 to a lot of information, particularly about the
2 infrastructure that is available to process materials,
3 as well as collection and delivery of those materials to
4 the facilities.

5 The local government presence we found is
6 important, and we found a mixed bag there frankly. Some
7 jurisdictions that we visited had a very strong and
8 capable and very technically competent local jurisdiction
9 staff, others had virtually no presence at all. So
10 that's an area where we will focus in our conclusions.

11 And also, understanding where the facilities are
12 that can help you meet the goals. It does no good to,
13 for example, recommend composting something if you don't
14 have a compost facility somewhere nearby, because
15 transportation is a big ticket item.

16 We also found, one final note, is that there's a
17 lot of school construction going on. Every district we
18 visited had one or more schools on their agenda for the
19 next couple of years. Some of 'em had an agenda, Long
20 Beach, for example, is planning to build something like,
21 I think the number was something like eleven schools in
22 the next ten years. These are tremendous opportunities
23 for green building activities and C&D waste reduction
24 programs. So our thought is that that's a really good
25 opportunity for us.

1 The remaining work to be done. We are writing
2 up the assessments now of each of these school districts.
3 I'd say we're two-thirds of the way through that right
4 now. We should probably have that finished within the
5 next month or so.

6 We are beginning to formulate our thoughts about
7 what the final report to your Board will be. And we hope
8 to have that to you in the, certainly by the designed end
9 of the project which will be July 1st.

10 We will go out into the field with our draft
11 assessment reports for each of the pilots and discuss it
12 with them in two ways.

13 One, to find out whether we've got our facts
14 right, we understood what we saw, and what they told us
15 correctly, to make sure that our document is correct.

16 And secondly, to begin discussing with them
17 opportunities that they could begin to implement right
18 away.

19 And frankly we'll be focusing on what we call
20 the low hanging fruit, the easy, the easy stuff. We had
21 one school district official tell us look, if you make it
22 cheap, easy, and convenient, we'll do it. If it doesn't
23 meet that standard, you're going to have a tough time in
24 schools because we've got a lot of pressure in the
25 education side. So we're trying to focus on cheap, easy,

1 and convenient.

2 We also will be developing, in the next couple
3 of months, training for internal staff program as well as
4 local jurisdictions and school districts. And we'll be
5 developing a design for an outreach program for the Board
6 to engage the larger community. So that will be upcoming
7 activities.

8 If there are any questions, Marshalle and I will
9 be glad to try to address them.

10 BOARD CHAIR MOULTON-PATTERSON: Thank you. I
11 have one to begin with.

12 Will you let us know when there's opportunities
13 to visit some of these districts and see some of the
14 things that are going on at the appropriate time?

15 MR. WHITNEY: Sure, absolutely.

16 BOARD CHAIR MOULTON-PATTERSON: Because I would
17 like to visit them.

18 MR. WHITNEY: Absolutely. Great. We'll, we can
19 have you visit all six when we go if you'd like. So
20 we'll let you know what our schedule is for visiting, and
21 I think it would be wonderful for you if you could.

22 BOARD CHAIR MOULTON-PATTERSON: I appreciate
23 it. Questions? Thank you. I don't see any, thank you
24 very much.

25 Thank you, Mr. Schiavo.

1 Okay. We'll move on to administration, number
2 seventeen.

3 MS. JORDAN: Good morning, Madam Chair and
4 members of the Board. I'm Terry Jordan, Deputy Director
5 of the Administration and Finance Division.

6 Item seventeen will be presented by Susan Villa,
7 manager of the business administration office.

8 MS. VILLA: Madam Chair, Board members, I'm
9 Susan Villa. And agenda item number seventeen,
10 Consideration of Approval of Concepts to be Funded from
11 Reallocated Recycling Market Revolving Loan Account,
12 Fiscal year '99/2000, and the Integrated Waste Management
13 Account Fiscal Year 2000/2001.

14 As you may recall, in September of 2000 the
15 Board allocated funding from the recycling market
16 development division one funding, and that funding was
17 specifically allocated by the legislature for activities
18 related to recycling and market development. And they
19 also allocated the Integrated Waste Management account
20 funding, and there was a remaining reserve that we will
21 bring before you today.

22 This item considers that savings in RMDZ.
23 There's approximately 339,578 to be considered in the
24 Integrated Waste Management account; 364,000, \$364,184.
25 In the Integrated Waste Management account.

1 Attachment two in the summary of concepts is, is
2 the summary of the recycling market development concepts
3 that we received for this reallocation process.

4 And attachment four is the summary of the
5 concepts proposed for funding from the Integrated Waste
6 Management account.

7 On these summaries the executive staff included
8 recommendations for funding to be used as a tool for the
9 Board in making their allocation decisions. Those
10 recommendations were based on information that the
11 executive staff had at the time, and the amount of
12 limited funding that is available.

13 Before we start with the actual going through
14 each item I also wanted to highlight a couple of areas
15 before we started.

16 Some, several of the concepts that you'll see
17 today may look familiar, and that is because they were on
18 the original list back in September. And I just wanted
19 to kind of highlight those concepts.

20 Number 47, the recycled product trade show was
21 heard, in part, in September; the sustainable
22 environmental design and education program; the newsprint
23 testing; green building technical assistance; and the
24 landfill operator training concepts were all heard in
25 September, and so they're back before you today.

1 Also, I wanted to, an item that you approved
2 yesterday, item 19 talked about E waste, and this agenda
3 item also has an E waste concept. And there is a
4 difference between those.

5 And I just wanted to highlight that this
6 particular concept is, we'll be doing a baseline study
7 determining the amounts and types of E waste generated in
8 California, and examines the existing infrastructure for
9 recovery, reuse, and recycling.

10 And the concept yesterday was more focused on
11 educating state agencies and how they can in the future
12 be effective in their electronic purchases to make it
13 more environmentally sensitive.

14 I also wanted to clarify the two administrative
15 concepts. The one, recently TJ had discussions with
16 Board members regarding the budget briefings, and had an
17 unfunded list of items that was on, that she had for that
18 briefing.

19 Item 62 was directly pulled off of that unfunded
20 list, and that's the concept for utilizing some of the
21 recycling market development funding for green furniture
22 purchased for this building.

23 When we moved into this building, managers and
24 supervisors that were previously in cubicles were located
25 in hard offices, and we did not have furniture, so this

1 was new furniture that we needed to purchase for our
2 staff in this building.

3 And the procurement of green business cards for
4 staff.

5 The other concept is related to the exploration
6 of new space, generally in the Southern California
7 office. And just in doing an exploration, there are
8 costs associated with that.

9 This would set aside some funding that if we
10 were successful in locating potential new space to deal
11 with growth issues where, you know, anticipating success
12 of expanding the tire program, this would set aside some
13 funding for that for tenant improvements, modular
14 furniture; those types of items would need to be handled,
15 in addition to the actual physical move of those
16 locations. So that's what that concept is about.

17 In addition, there was signage for this
18 building, and there's a proposal for consistent signage
19 in the building, name plates and, for individual staff,
20 name plates on hard offices, and this is also set aside
21 for that.

22 So to start with, we start with attachment
23 number two, we can just go through these and answer
24 questions as Board members have questions, and make
25 recommendations.

1 BOARD CHAIR MOULTON-PATTERSON: So you're ready
2 for our questions at this point?

3 MS. VILLA: Yes.

4 BOARD CHAIR MOULTON-PATTERSON: Okay. Board
5 members?

6 MS. VILLA: Beginning with attachment number
7 two, concept 47, the recycled products trade show.

8 BOARD CHAIR MOULTON-PATTERSON: And in this, the
9 executive staff's recommending 50,000, and 150 was
10 requested, is that right?

11 MS. VILLA: Yes, that is correct. And it's also
12 footnoted that they would be considering additional
13 funding sources.

14 BOARD CHAIR MOULTON-PATTERSON: Okay.

15 BOARD MEMBER PAPARIAN: Madam Chair.

16 BOARD CHAIR MOULTON-PATTERSON: Yes.

17 BOARD MEMBER PAPARIAN: On that item, I remember
18 we went through the budgets on recycled products trade
19 show a few meetings ago. Now that we're closer to having
20 it happen, does it still seem like we're going to spend
21 the whole \$150,000?

22 MS. JORDAN: Bill Orr will be able to answer
23 that for you.

24 BOARD MEMBER MEDINA: And is this the Southern
25 California trade show, or the one that is done here in

1 Sacramento?

2 MS. VILLA: This would be for the Southern
3 California trade show.

4 BOARD MEMBER PAPARIAN: Oh, I'm sorry, I got
5 confused. I thought this was the northern one.

6 MS. VILLA: No. This would be to expand the
7 recycle trade show to Southern California.

8 BOARD MEMBER PAPARIAN: Okay.

9 MR. ORR: Good morning, Mr. Paparian, Bill Orr,
10 Recycling Technologies Branch.

11 I think in terms of the current contract the
12 estimates that we have are still valid. We have not come
13 in with any supplemental funding from other agencies to
14 offset those monies yet, and so I think that those
15 numbers are still valid.

16 The contract also provides that any money that
17 is left over from the Northern California show would
18 potentially go into this next show as well.

19 BOARD CHAIR MOULTON-PATTERSON: Thank you.

20 MS. VILLA: The next concept, concept number 48
21 is the sustainable environmental design education
22 program. This concept would develop a cross disciplinary
23 sustainable environmental design education program that
24 would include new and revised educational materials for
25 use in college and university buildings, building and

1 landscape architect degree programs.

2 BOARD CHAIR MOULTON-PATTERSON: Any questions?

3 MS. VILLA: On concept 52, sustainable building
4 fiscal economic analysis, this contract would join with
5 the Energy Commission, the Air Resources Board, and the
6 California Department of Transportation, and Department
7 of Water Resources to fund a cost benefit study to
8 bolster economic case for high performance buildings and
9 schools.

10 The funding from this contract would ensure that
11 the recycled content product and other waste management
12 issues are adequately addressed in the study.

13 BOARD CHAIR MOULTON-PATTERSON: And this one
14 executive staff is not recommending, is that right?

15 MS. JORDAN: Based on the knowledge at the time
16 that the executive staff had, it was the point in time
17 that we made the recommendations, and based on the
18 knowledge that we had and the limited funding, again, we
19 did not recommend this one. That is not to say it does
20 not have a lot of merit, but simply that we did this as a
21 tool for the Board.

22 BOARD CHAIR MOULTON-PATTERSON: Okay. Mr.
23 Jones.

24 BOARD MEMBER JONES: This is one that follows up
25 on, we've spent money and activity in trying to develop

1 sustainable building practices. We've spent an awful lot
2 of effort, two years worth of funding. This looks like
3 a, an item that actually starts to quantify some of the
4 things that we have done.

5 And I think that, that, you know, I mean we've
6 got, in my view we need to be able to take advantage of
7 dollars spent in the past instead of always going out and
8 looking for new projects.

9 Because this is a way, first off, it complies
10 with one of the Governor's executive orders, and it's a
11 way to team up to find out what the cost analysis is
12 going to be, what the benefit is to do this. And to not
13 fund something like this that could quantify what we're
14 preaching.

15 I would ask Board members to, you know, this is
16 a case where we can get, I mean we can get information to
17 be able to support what it is we're promoting, and
18 maximize dollars by leveraging it with other agencies
19 that have to do it, and it's part of the Governor's
20 executive order, and as the Governor's appointee, I take
21 that seriously.

22 BOARD CHAIR MOULTON-PATTERSON: Definitely. I
23 would like to speak for it to be back in.

24 Mr. Paparian.

25 BOARD MEMBER PAPARIAN: Is this the one where

1 there's a BCP that's related to this that's going forward
2 in some way?

3 MS. VILLA: Yes, there is a BCP that has
4 sustainable building aspects to it also, but they, this
5 request does not overlap with that BCP.

6 BOARD MEMBER PAPARIAN: So you're saying this
7 could not be funded if that BCP were to go forward? This
8 could not be funded under the BCP? Or am I confused?

9 MS. JORDAN: That particular BCP, if it's the
10 one that I think that you're speaking of, has
11 approximately \$30,000 in it that is for an executive task
12 force, which was specific to the executive order, and the
13 need to work with DGS and other entities with regards to
14 the green building issues, the sustainable building
15 issues. This, these funds don't overlap with that, this
16 is to specifically follow up with the evaluation.

17 BOARD MEMBER PAPARIAN: Okay.

18 BOARD MEMBER EATON: Perhaps I can also shed
19 some light because this was a concept that has been a
20 long time in coming, but we are fitting it in a facility
21 wherein if we would have had this study, we wouldn't be
22 sitting in the kind of conditions that we had with regard
23 to certain features, which are not the fault of anyone
24 presently occupying this building, but made prior to, and
25 decisions made to.

1 This issue really is about a life cycle analysis
2 of how one goes about in high performance buildings that
3 the state either supports or funds to determine with the
4 Department of Finance, anytime you come to the Department
5 of Finance or the Department of DGS they always tell you,
6 well what's the cost. We always tell 'em it's a life
7 cycle cost. You have to weigh in the energy cost, the
8 health benefits, etcetera. And they keep telling us,
9 well we don't believe there's a valid baseline study out
10 there, we don't believe that there's anything.

11 So as a result, the green task force, in which
12 all of these agencies participated in as well as finally
13 got the Department of Finance to agree to let us do the
14 study in cooperation with them if we funded and bring
15 that information to them, so that in the future when we
16 do buildings, whether they be state buildings, local
17 government buildings, or schools, the life cycle analysis
18 will be able to be incorporated therein.

19 And therefore, the whole idea of promoting
20 livable quality buildings, whether they're VOCs from
21 paint or whatever, would be funded by the study.

22 And so I think it's a critical point if we are
23 to progress to the next step we need to have the
24 empirical study.

25 This is much like your computer E waste. If you

1 don't have the information to contest the green shades,
2 that's, with the Department of Finance, then you'll never
3 get anywhere. And this is the first step.

4 I think ours is a small amount of money that
5 contributes, and I believe the Energy Commission and the
6 other Boards are doing that, and I think it's just a
7 valid sort of issue.

8 If we don't get a life cycle analysis, then I
9 don't think we're going to progress very far with regard
10 to any of the issues.

11 BOARD MEMBER PAPARIAN: Madam Chair, can I ask
12 another follow-up question?

13 BOARD CHAIR MOULTON-PATTERSON: Yes, Mr.
14 Paparian.

15 BOARD MEMBER PAPARIAN: I see that several
16 agencies have already committed money to it, ARB,
17 Caltrans, and Department of Water Resources. Are they
18 all committing equal amounts? Are they all committing
19 35,000? Do you know how that's working?

20 BOARD MEMBER EATON: No, I think the bulk of it
21 is being handled by the Energy Commission. I think
22 they're up in several hundred thousand, 150,000. We're a
23 small amount. I think we may be the least amount of
24 money. I don't know that for sure, but I think that's
25 the case.

1 MS. JORDAN: I don't know the total dollar
2 amount of the actual study, but the \$35,000 out of RMDZ
3 is a very, very minimal amount compared to what studies
4 typically cost.

5 BOARD MEMBER PAPARIAN: Okay.

6 BOARD CHAIR MOULTON-PATTERSON: Okay.

7 MS. VILLA: The next concept on the summary is
8 66. And that concept is for the implementation of a
9 project to market the use of environmentally friendly
10 building terms to residents of Native American solemn
11 land.

12 BOARD MEMBER MEDINA: Madam Chair.

13 BOARD CHAIR MOULTON-PATTERSON: Mr. Medina.

14 BOARD MEMBER MEDINA: I'd like to say a few
15 words on behalf of this particular contract concept.

16 And currently there are 112 recognized Indian
17 tribes in California. Many of these tribes are
18 experiencing an economic resurgence that is realizing the
19 development of business enterprises, including gaming
20 casinos, hotels, crumb rubber plants, and many other
21 types of business enterprises.

22 The Native American intergovernmental gradient
23 project will provide the Integrated Waste Management
24 Board an opportunity to integrate the reduce, recycle,
25 reuse, and Buy Recycle concepts into their business

1 enterprises.

2 For an example, an average 20,000 square foot
3 casino could use a minimum of 18,000 square feet of
4 recycled carpeting, at least 530 gallons of reused paint,
5 and divert at least 68 tons of compostable materials per
6 year.

7 Most casinos being built today far exceed the
8 size of the example provided. Including the other
9 businesses that Native Americans are engaged in, the
10 potential health and environmental impact could be
11 enormous.

12 This is very timely and it goes hand in hand
13 with our efforts to remove waste tires from Indian lands,
14 and also the cleanup of illegal dump sites on Indian
15 lands.

16 While I was at Caltrans I entered into a close
17 working relationship with the tribes in regard to the
18 impacts that casinos would have on our state highway
19 system. And I know that the Native American community
20 has deep interest in environmental justice issues, and
21 also issues relating to cleanup of their waste tires from
22 their lands, cleanup of the dump sites.

23 And also because the Native American community
24 has long been an environmental community, I think that
25 this is a good opportunity to join in a very timely

1 partnership with that community, and I would urge support
2 for this particular contract concept.

3 BOARD CHAIR MOULTON-PATTERSON: Thank you, Mr.
4 Medina. Any other comments on that one?

5 BOARD MEMBER EATON: Mr. Medina, currently when
6 they construct these casinos, most of that material that
7 could be reused, if it's concrete or whatever, is now
8 going into local government's landfills, is that correct?

9 BOARD MEMBER MEDINA: That's correct.

10 BOARD MEMBER EATON: So the idea would be to
11 educate them perhaps as to the reuse of this material so
12 that it wouldn't go into local government landfills?

13 BOARD MEMBER MEDINA: Exactly. It's also very
14 much tied into market development.

15 BOARD MEMBER EATON: I think that's a fair
16 thing, yes. I think that's a good project.

17 MS. VILLA: The next concept is concept 49 and
18 that is for students, student assistants in the waste
19 prevention market development division. The students
20 would provide on going services for CalMAX, WRAP, the RCP
21 database, waste prevention information exchange, the BIS
22 waste reduction, RPPC and other organic materials
23 management.

24 BOARD CHAIR MOULTON-PATTERSON: I have a
25 question. These student assistants are not supposed to

1 be used for clerical, is that correct? I mean these
2 are --

3 MS. JORDAN: The students are supposed to be
4 learning something that goes along with their major.
5 Clerical is typically not what they're used for, and
6 there is a specific, there is a specific section that, in
7 the contracting rules that requires that a student has to
8 be hired to work within the area of their major.

9 BOARD CHAIR MOULTON-PATTERSON: Okay. Thank
10 you. You know, may we stop here for just a moment? I
11 have just a real general question. Are some of these new
12 concepts that have been submitted? Because it was my
13 understanding that we didn't have that much money and
14 that we weren't going to be submitting a lot of new
15 concepts. I mean our office could certainly have
16 submitted a lot of 'em, but I didn't think we had a lot
17 of money and so is, is -- are we doing it differently?
18 Are some Board members offices submitting these and -- I
19 mean, I just want to get in the loop here, if
20 everything's --

21 MS. JORDAN: Some of these are new, some of them
22 are brought forward from September as requested. The
23 member's offices were touched base with with regards to
24 any desires, you know, any concepts needing to be
25 submitted, and so I apologize if you hadn't heard about

1 it.

2 BOARD CHAIR MOULTON-PATTERSON: Well no, I just
3 mean when I was given a budget briefing at the beginning
4 of the year, I understood that there wasn't a lot of
5 money for new concepts, I specifically remember that.

6 MS. JORDAN: It was, in the budget briefing
7 consulting and professional services is separate, and we
8 had mentioned two or three months back that we would be
9 looking at any savings out of contracts that had occurred
10 within the C&D, area specifically related to IWMA and
11 RMDZ. And that those particular areas we would be
12 bringing an item back in February. And also we were
13 planning to bring one back in May anticipating that there
14 may be other savings within some of these concepts.

15 BOARD CHAIR MOULTON-PATTERSON: You know, it
16 just, I feel like we're going to be put into position
17 where we're going to have to vote against things that are
18 wonderful projects, and I just wish we were, you know,
19 all playing on the same field here, so to speak. And,
20 you know, I'm not holding any of you responsible, I just
21 didn't realize that we were still in the contract concept
22 business.

23 So thank you. Continue please.

24 BOARD MEMBER MEDINA: Well I just wanted to
25 interject here that from my experience, having been here

1 seven months, nine months, I was asked to support various
2 Board members contract concepts, and I've supported those
3 consistently up to now, and this is my first opportunity
4 to have submitted a contract concept, and I've yet to sit
5 on a Board or commission where the Board or commission
6 did not have something to say about some of the programs
7 that a particular department was going to implement.

8 And I see a lot of very worthy projects in here,
9 and I see a lot of good projects that I have supported
10 that the staff has generated, but I also see, for
11 example, the electronic waste project that one of our
12 Board members has invested a lot of time and effort in
13 that's very timely that's also worthy of support.

14 So I realize that, for example, I have at least
15 eight projects that I submitted because, again, you don't
16 know given the amount of funds which projects will get
17 funded, it's up to a vote. I have a priority of at least
18 one or two, and I think the other Board members do the
19 same, and the, a number of the projects that the staff
20 have moved forward are also important projects.

21 So as we work our way through this I think that
22 something will result that's fair to everyone.

23 BOARD CHAIR MOULTON-PATTERSON: Okay. Thank
24 you.

25 Would you continue, please?

1 MS. VILLA: The next concept is concept 53 which
2 is the newsprint certification quality standards
3 testing. And we are mandated to do this. Public
4 Resources Code Section 427503, 42791 requires newsprint
5 consumers in California to use recycled content newsprint
6 containing a minimum amount of 40 percent post consumer
7 fiber.

8 The statute also requires the Board to set
9 exemption quality standards for recycled content
10 newsprint based on current industry average for printing
11 capacity and brightness level and cross machine tear
12 strength.

13 BOARD CHAIR MOULTON-PATTERSON: Any questions?
14 Okay. Thank you.

15 MS. VILLA: The next concept is concept 62.
16 This is the one that I highlighted earlier regarding
17 unfunded costs. The first one is for the recycled
18 content green furniture that we purchased to outfit the
19 offices that, for the staff who were in cubicles who
20 moved into hard offices upon this move.

21 Of that 182,000, 172,000 would be for that
22 furniture, and 10,000 would be for the green business
23 cards. And although we do have a baseline budget for
24 business card purchases each year, to do a reprint of a
25 large quantity of business cards due to the move is not

1 something that that budget could withstand.

2 BOARD CHAIR MOULTON-PATTERSON: Do you know when
3 we'll be getting those business cards? I haven't gotten
4 mine yet.

5 MS. VILLA: The process is --

6 BOARD CHAIR MOULTON-PATTERSON: I hate to pay
7 for 'em before we get 'em.

8 BOARD MEMBER EATON: Could have the wrong
9 information. Mine did.

10 MS. VILLA: We should receive them within ten
11 working days upon placing your order. And we can check
12 into that.

13 BOARD CHAIR MOULTON-PATTERSON: Okay. Thank
14 you. I really appreciate that.

15 BOARD MEMBER EATON: What was the breakdown of
16 cards? How much was the cost that you got at 182,000?
17 What was the cost of the cards?

18 MS. VILLA: It's \$25 a box of 10,000 cards of
19 the 182.

20 BOARD MEMBER EATON: So it's about 25,000? What
21 was the percentage of the 182? In other words, if you
22 have unfunded costs, the recycled furniture costs X
23 amount of money, and how much did the green business
24 cards cost?

25 MS. VILLA: 10,000.

1 BOARD MEMBER EATON: \$10,000? And that would be
2 enough for how many? 250 employees at one box apiece,
3 right? Four goes into 10,000, 250 times, right? Four
4 goes in --

5 BOARD MEMBER PAPARIAN: I count four hundred.
6 (Thereupon occurred simultaneous discussion.)

7 MS. VILLA: Four hundred boxes of cards.

8 BOARD MEMBER EATON: Four hundred boxes of
9 cards, right. Right. But each employee gets one box we
10 were told, is that correct?

11 MS. VILLA: They --

12 BOARD MEMBER EATON: Is this for all employees
13 or just part of the employees?

14 MS. VILLA: This is for an estimate of four
15 hundred people ordering business cards.

16 BOARD MEMBER EATON: And that's 10,000.

17 BOARD MEMBER MEDINA: And what happens when we
18 run through our business cards as --

19 MS. VILLA: You reorder.

20 BOARD MEMBER MEDINA: And will that be a new,
21 where will the money for that come from?

22 MS. VILLA: We do have a base budget for some
23 replacement of business cards in our regular base budget.
24 But to replace a large number of staff in one fiscal year
25 because of the move activity, we don't have the budget

1 for that.

2 BOARD CHAIR MOULTON-PATTERSON: Thank you. Any
3 other questions on that one?

4 BOARD MEMBER JONES: I have one question.

5 BOARD CHAIR MOULTON-PATTERSON: Mr. Jones.

6 BOARD MEMBER JONES: You had talked earlier
7 about signage in this building.

8 MS. VILLA: Yes.

9 BOARD MEMBER JONES: Is there signage that's
10 going to identify that all of the recycled content
11 carpeting in this building was funded by this RMDZ fund
12 by the Integrated Waste Management Board? That's usually
13 a condition of those kind of expenditures everywhere
14 else.

15 BOARD CHAIR MOULTON-PATTERSON: We should have a
16 plaque.

17 BOARD MEMBER JONES: You're darn right we
18 should.

19 MS. JORDAN: I'd like to speak to that. During
20 the development process of planning all of this out, we
21 went to this building, there has been a couple of
22 meetings, and they will be gearing up again with regards
23 to actual signage, specific to those types of things.

24 This particular signage is just for the name
25 plates on the cubicles and on the walls.

1 But yes, in fact, we even had a meeting that
2 included the manufacturer to determine what could be
3 said, how it would be said, how it was funded. And so
4 those types of things will be viewed probably within the
5 next fiscal year or so. There was limited funding in
6 this fiscal year. But it is the desire of Cal EPA to
7 have a lot of showcase placards and materials actually in
8 an area for the public to view.

9 BOARD CHAIR MOULTON-PATTERSON: I really
10 appreciate you bringing that up, Mr. Jones. Because, you
11 know, this was a big, big purchase on our part, and I
12 think we should get the recognition it's due in this
13 building.

14 MS. JORDAN: Certainly.

15 BOARD CHAIR MOULTON-PATTERSON: So thank you for
16 looking out for that.

17 MS. VILLA: And the final concept on the RMDZ
18 listing is concept number 63 which is conference
19 sponsorships such as CRRA.

20 BOARD MEMBER PAPARIAN: Madam Chair, on that
21 one.

22 BOARD CHAIR MOULTON-PATTERSON: Yes.

23 BOARD MEMBER PAPARIAN: The narrative that we
24 have says it would go, it implies it would go all to
25 CRRA, but the chart says CRRA, etcetera. How much of

1 this would be CRRA and how much of it would be something
2 else?

3 MS. JORDAN: Currently we have, as always,
4 annually received a request from CRRA with regards to
5 their conference coming up, and asking for this Board to
6 contribute towards a sponsorship. These amount of monies
7 could be solely for that purpose or it could go to other
8 sponsorships.

9 It's more or less of a placeholder knowing that
10 annually we have a cost involved with CRRA. It does not
11 have to be this amount. And typically, you know, every
12 year we're sort of scrambling, we don't plan for this
13 particular conference, what better time to plan for it.
14 So that's why we brought it to your attention.

15 BOARD CHAIR MOULTON-PATTERSON: Well I, you
16 know, having attended, and I know all the other members
17 attended also, it's a great conference, and I'm really
18 supportive of it, and I'm certainly going to vote for
19 that.

20 Maybe we ought to take a look at, you know,
21 sponsorships and what maybe we could have, like a
22 subcommittee or something like that, and determine it so
23 we're not always doing this. And maybe the staff could
24 get back to us with a plan, because there's some really
25 good events, conferences that we do want to sponsor, but

1 it would be nice so we could plan on them.

2 Could we do that, Ms. Bruce?

3 INTERIM EXECUTIVE DIRECTOR BRUCE: Absolutely.

4 I think that would be a wonderful idea. If we could have
5 a process by which people knew that they could apply for
6 sponsorships, and you and the Board could decide where
7 you wanted the funds to go.

8 BOARD CHAIR MOULTON-PATTERSON: If we knew how
9 much money we could prioritize.

10 INTERIM EXECUTIVE DIRECTOR BRUCE: Exactly.

11 BOARD CHAIR MOULTON-PATTERSON: Senator Roberti.

12 BOARD MEMBER ROBERTI: Yes, I have a question of
13 the staff on the recycled product trade show. You were
14 recommending \$50,000, which is fine; you can't have a
15 trade show from my understanding unless it's 150,000, or
16 roughly thereabouts. So where are the rest of the money,
17 are there other funds we can look to for the rest of the
18 money?

19 MS. JORDAN: There are several options. Based
20 on the fact that we're, you know, over halfway into the
21 fiscal year, we can be looking at other monies and other
22 funds.

23 However, it was my understanding from program
24 that this primarily was going to serve more or less as a
25 seed money, because the trade show could, the activities

1 could be started towards developing that trade show, and
2 maybe hopefully by the time that the new fiscal year
3 starts, when we bring allocations forward, we could be
4 looking at money in that particular area also to fund
5 this.

6 BOARD MEMBER ROBERTI: In what particular area?

7 MS. JORDAN: In the IWMA, in the, if there's
8 anything left over in the RMDZ in May we can also look at
9 that.

10 BOARD MEMBER EATON: My understanding also was
11 that it's going to be self-sustaining. I remember from
12 one of the other items, that this was one of the other
13 previous Board meetings where there was a certain amount,
14 and I don't remember what the numbers were and I don't
15 think it was fifty, I think it was higher than what we
16 were giving trade shows to deal with the costs, and I
17 don't remember, there's something about fees, and I don't
18 remember if it was preparing rates at issue, so I'm not
19 sure how this, but I know there was a portion that was
20 going to be self-funded, but I don't know what the
21 breakdown is.

22 MS. JORDAN: And it does state that in the
23 concept description itself.

24 BOARD MEMBER EATON: Right, okay.

25 BOARD MEMBER ROBERTI: And is this enough for

1 staff to be able to begin the work to have a trade show
2 in the fall?

3 MS. JORDAN: Bill Orr will speak to that.

4 MR. ORR: This amount is not enough to have a
5 trade show this fall, actually what this is is seed money
6 to look to having a trade show the following fall.

7 So basically we're looking at trying to plan the
8 show, even the one here in Northern California, a year in
9 advance. So this would be to get a new contract in place
10 that would look to not only funding this next show in
11 Southern California, but also subsequent shows in
12 Northern California.

13 BOARD MEMBER ROBERTI: So we don't have, we
14 don't have a trade show planned for Sacramento this
15 coming fall?

16 MR. ORR: Yes. Yes. That show is already, we
17 have adequate funding for the show here in April in
18 Northern California, we don't have plans to have another
19 show here in the fall. There would actually be another
20 show the following spring here in Northern California,
21 and then our show in Southern California would be that
22 following fall of 2002.

23 BOARD MEMBER ROBERTI: Well, that means we've
24 had two trade shows in Northern California and none in
25 the Southern California area --

1 MR. ORR: Correct.

2 BOARD MEMBER ROBERTI: -- without any
3 possibility that there, you know, and sort of resting on
4 the hope that we'll have one in the fall because there's
5 not even enough money for one two years from now.

6 MR. ORR: We could always use more money. I
7 think what we're looking at --

8 BOARD MEMBER ROBERTI: I understand. I
9 understand the problem.

10 BOARD CHAIR MOULTON-PATTERSON: So does that
11 mean we'll have had three in Northern California before
12 there's even a possibility that we've had one -- we're
13 having one April 10th in Sacramento, and then we have
14 another one, and then maybe Southern California?

15 MR. ORR: Well depending on Board funding, you
16 know.

17 BOARD MEMBER ROBERTI: There's not even enough
18 money. The \$50,000 isn't even enough to get the thing
19 for next year to the work plan stage, so that's sort of a
20 wish.

21 MR. ORR: Yeah, I think there are a couple of
22 other funding sources to keep in mind. I think the
23 Board, in considering the tire allocation yesterday, had
24 earmarked funding for the trade show in that particular
25 item as well. So I think that we're looking at a variety

1 of funding sources.

2 BOARD MEMBER ROBERTI: At some point, at some
3 point my feeling is there just can't be one in Northern
4 California until we've accumulated enough money to have
5 one in Southern California.

6 There are an awful lot of entrepreneurial spirits
7 that need to be motivated down there too, as you all
8 know. But --

9 MR. ORR: Well, we can deal with the scheduling
10 issue. I think what we're looking at is it's the general
11 opinion on trade shows that you basically need to be
12 working a year ahead of time. And I think that this
13 concept envisions a multiple year effort to alternate
14 shows between Northern and Southern California.

15 We can work with the specific schedule of those
16 shows --

17 BOARD MEMBER ROBERTI: Well I would suggest that
18 maybe a formal motion at some point is going to be in
19 order that as long as we only contemplate one trade show
20 a year, that it has to alternate.

21 MR. ORR: Okay.

22 BOARD MEMBER ROBERTI: North of the Tehachapis
23 and south of the Tehachapis. Because, since the trade
24 show in Sacramento probably is a little bit less
25 expensive, and because we're all here all the time, it's

1 just easier to get that one off the ground. And I'm just
2 fearful because it's always easier to get that one off
3 the ground that it will always fly, and we'll be, you
4 know, talking about a promise that we'll have one in
5 Southern California.

6 BOARD CHAIR MOULTON-PATTERSON: Senator Roberti,
7 and I am sure I missed something, but I kind of thought
8 we were going to have two and then work on Southern
9 California. Did I miss something?

10 BOARD MEMBER ROBERTI: Yeah, that's what I
11 thought too.

12 BOARD CHAIR MOULTON-PATTERSON: No, because they
13 said there will be three in Northern.

14 MR. ORR: Well I think that we're open to Board
15 direction there. I think what we would be looking to is
16 that we feel strongly that we really need, in order to
17 have a successful first Southern California show, that we
18 need about a year lead time to do that. And so, you
19 know, I think we can take Board direction that --

20 BOARD CHAIR MOULTON-PATTERSON: Mr. Orr, I think
21 we have a misunderstanding. I thought, and it's probably
22 mine, but Mr. Jones and I aren't seeing this the same
23 way.

24 We had one trade show in Sacramento already.

25 MR. ORR: Uh-huh.

1 BOARD CHAIR MOULTON-PATTERSON: We have one
2 April 10th in Sacramento.

3 MR. ORR: Right.

4 BOARD CHAIR MOULTON-PATTERSON: And then there
5 was going to be another one in Sacramento in the spring
6 before we considered the Southern, is that correct?

7 MR. ORR: As the concept is currently written, I
8 believe the first trade show in Southern California would
9 be the fall of 2002.

10 BOARD MEMBER ROBERTI: That's contrary to my
11 understanding too, that we were going to have three in
12 the North. I would, you know, I mean clearly I would
13 never have consented to that, nor do I think the chair
14 would.

15 BOARD CHAIR MOULTON-PATTERSON: Right. I mean I
16 just want to be on the same page here again. The
17 planning is right now that we would have had three in
18 Northern California before we have one in Southern, is
19 that right?

20 MR. ORR: That's, that would be, as currently
21 laid out that would be the plan.

22 BOARD CHAIR MOULTON-PATTERSON: Well I'd like to
23 see it another way, but that's just two of us.

24 BOARD MEMBER ROBERTI: Well there's, well I
25 don't have a problem with the one coming up in April.

1 BOARD CHAIR MOULTON-PATTERSON: Oh, me either.

2 BOARD MEMBER ROBERTI: But I do have a problem
3 if we're planning a third one.

4 BOARD MEMBER EATON: Just rotate the one in the
5 spring to Southern California.

6 BOARD MEMBER ROBERTI: Yeah.

7 BOARD MEMBER EATON: That's all you have to do.

8 BOARD CHAIR MOULTON-PATTERSON: That's what
9 we're trying to establish.

10 BOARD MEMBER EATON: I mean trying to go over a
11 timeline, I thought, and I agree with you, whatever it
12 was, three, four, five, six months ago whenever we had
13 the last allocation we just said there's going to be one
14 north, one south, I don't have any problems with it.

15 If that's the case, just move it to the spring.
16 If all it is is a concept, then the spring one or
17 whenever the one after this one, the next one should be
18 in Southern California. Whether we call it alternating
19 or whatever.

20 BOARD CHAIR MOULTON-PATTERSON: Yeah, I think
21 that's fair.

22 BOARD MEMBER ROBERTI: And if you need a little
23 bit more time than spring and you have to put it into the
24 fall or you have to put it in the late fall, that's
25 fine. But I think the third one should be in Southern

1 California. Where in Southern California we ever get the
2 best deal but I mean --

3 MR. ORR: Yeah, I have to --

4 BOARD MEMBER EATON: Bakersfield is pretty good
5 these days, I hear.

6 BOARD MEMBER ROBERTI: I consider that Northern
7 California. Nobody wants Bakersfield.

8 (Thereupon occurred simultaneous discussion.)

9 BOARD MEMBER EATON: I unfortunately do remember
10 a Senate district, Senator, that kind of came, so I
11 always somehow refer to --

12 BOARD MEMBER ROBERTI: Bakersfield and Pasadena,
13 they had a lot in common.

14 BOARD MEMBER EATON: I always thought that was
15 Southern California but, of course, I may have been
16 mistaken.

17 MS. VILLA: I just wanted to interject that this
18 is just a concept approval, and when this scope of work
19 comes forward all those details could be worked out at
20 that time.

21 BOARD CHAIR MOULTON-PATTERSON: Yeah, but
22 sometimes we, you know, I just think that we've cleared
23 up a lot here, a lot of misunderstanding. So I think it
24 was worth the time.

25 And thank you, Mr. Orr for your patience with

1 me.

2 MS. VILLA: That concludes all the concepts for
3 the recycling market development proposals that were
4 here. We can continue through the next list or we can
5 work through and make a motion on just the RMDZ if you
6 like.

7 BOARD CHAIR MOULTON-PATTERSON: Well we do have
8 two speakers on this item, and so would it be appropriate
9 to hear them and then vote on this one, and then go to
10 the other item since, I think I would feel better if we
11 did that, because I don't want to get ahead of our
12 public.

13 Bill Criswell.

14 BOARD MEMBER EATON: And while Mr. Criswell is
15 coming forward, was it clear on the direction on the last
16 item that the one in April and then whatever the next one
17 is scheduled in Southern California? I mean there was no
18 formal motion, was there a clarity there just for the
19 record?

20 BOARD CHAIR MOULTON-PATTERSON: Yes. Thank you.
21 Thank you, Mr. Eaton.

22 Mr. Criswell.

23 MR. SHESTICK: Actually Tim Shestich with the
24 American Plastics Council.

25 BOARD CHAIR MOULTON-PATTERSON: I have both

1 slips, yes.

2 MR. SHESTICK: Actually we have comments we'd
3 like to make on the contract concepts for the IWMA
4 accounts, so if you want to do those first and then
5 perhaps we can come back.

6 BOARD CHAIR MOULTON-PATTERSON: Oh, okay. Does
7 the Board wish to go ahead since this is fresh in our
8 mind on the RMDZ and move this one, or do you want to do
9 both?

10 BOARD MEMBER PAPARIAN: They're separate pots of
11 money and separate, I'd just as soon get this one done
12 and then do the next one.

13 BOARD CHAIR MOULTON-PATTERSON: Okay, great.
14 Let's do it. Okay. We've had a lot of good suggestions.
15 Everything on this list is worthy, and these are the hard
16 decisions.

17 BOARD MEMBER EATON: Could I just also, one
18 thing?

19 BOARD CHAIR MOULTON-PATTERSON: Sure.

20 BOARD MEMBER EATON: Senator Roberti raised,
21 raises a good point about Southern California. We have
22 some of the problem in Northern California, but we ran
23 into it as well.

24 In Southern California one of the problems that
25 has taken place is the lack of union facilities sometimes

1 with regard to holding this. So I think staff in
2 addition ought to look for a facility that had, because I
3 think that added to the cost, remember every time we
4 wanted to do some sort of events --

5 BOARD MEMBER ROBERTI: You're talking about San
6 Diego and --

7 BOARD MEMBER EATON: I know, but I'm just saying
8 there is an incremental cost that's associated with those
9 kinds of things. I think that staff should also be very
10 conscious of that, that that cost could come in because
11 all labor costs and everything are, tend to be higher in
12 Southern California as well as just generally.

13 BOARD MEMBER PAPARIAN: I would also suggest
14 that there be some very close working with the Board
15 members on the development of the Southern California
16 show. The audience for the Northern California show is
17 primarily state purchasing folks and related state agency
18 employees, and it makes sense for that to be Sacramento
19 because of the large concentration of state offices
20 obviously here.

21 It may be that the Southern California show
22 would be more appropriate for a different audience or
23 multiple audiences. But as that develops I think that
24 some give and take between the staff and the Board will
25 be appropriate so that we don't get crosswise in terms of

1 what it is we're trying to do with the Southern
2 California show.

3 BOARD MEMBER EATON: I would agree with you, but
4 I think also history, it's not disagreeing, it's kind of
5 in cooperation with you; the idea behind the trade show
6 itself was with regard to the public participation to
7 procure green products, and we are missing a segment
8 here. Because what's difficult is that when you go out
9 into the private sector, cost always becomes the main
10 primary consideration.

11 So for the first show it was, and I'm not
12 defensive about why it was in Sacramento, most of the
13 public officials who deal with procurement come here on a
14 regular basis so it was a way to attract them here.

15 I think it's a great idea to involve the private
16 sector down there as well, but it should also be for some
17 of the local government officials, because they seem to
18 have more diversion types of issues as relates to green
19 procurement. So it should be for both, not just staff
20 direction.

21 But I agree that we should sort of, you know,
22 work with Board development. And then, in addition it's,
23 well you have, if it is going to be in Southern
24 California, there are a number of different locales if
25 it's centrally located wherein there could be a tour, for

1 instance in Santa Monica, for instance, there's a number
2 of different things we've seen. And downtown City of
3 L.A. has wonderful kinds of programs. So a trade show
4 cannot only be a trade show as you look at products, but
5 actually products in the marketplace that are there,
6 whether they be public or private.

7 I'd love to have a thousand people come in. But
8 I think you're right. Historically that was, the whole
9 idea is how do we get participation in that marketplace?
10 And whichever works for both public and private is
11 probably the key, not just one.

12 BOARD MEMBER PAPARIAN: Right. And I have no
13 problem with the audience was up till now, but I am
14 suggesting, and we're in agreement, that the Southern
15 California audience will likely be different than the
16 target audience we've had for the Northern California
17 show.

18 BOARD CHAIR MOULTON-PATTERSON: That's true.
19 And we can really target local government and local
20 school districts, like L.A. Unified is huge, and make a
21 real effort to get them involved.

22 BOARD MEMBER EATON: As long as they have green
23 beans I'll be happy to support it.

24 BOARD MEMBER JONES: It's a diversion program,
25 they don't eat it so they don't serve it.

1 BOARD CHAIR MOULTON-PATTERSON: Okay. Who would
2 like to start with a motion? I think we're going to need
3 to do some working around here. Anybody want to take a
4 stab at this on the Board?

5 MS. VILLA: We also have a calculator in here to
6 keep a running tab.

7 BOARD MEMBER ROBERTI: Well let me just ask, my
8 concern is that the 50,000 is not enough for a Southern
9 California trade show. 75,000 is more likely, of course
10 that's with adding dollars. So I've got a couple
11 questions.

12 One, we sponsor CRRA every year. I mean, can't
13 they pass one year and, you know, let another part of the
14 state get something? I'm asking a question, I'm not, you
15 know --

16 MS. JORDAN: That's up to the Board's
17 discretion.

18 BOARD MEMBER ROBERTI: I mean I think the
19 prioritization, we have no problem with them, but it's
20 just an index of the, you know, we, so many things on the
21 Board are rural oriented and, because, and in large part
22 because our monies are limited and that means we never go
23 into the areas where there are urban problems; so my own
24 thought is that the CRRA can fend for itself for one
25 year, it does not have to be a permanent thing, and the

1 \$25,000 be put on the trade show.

2 BOARD MEMBER MEDINA: Given the timing of the
3 proposed and supported Los Angeles trade show, our
4 Southern California trade show, is there another
5 opportunity to secure funding given the timing of when
6 that will be held?

7 MS. JORDAN: As Mr. Orr mentioned, typically
8 they need to be in the development process for a trade
9 show for approximately a year before it's actually
10 completed. However, with the new fiscal year and the
11 budget and with anticipation of success with an
12 appropriation from the tire program, certainly there
13 could be other funds at the beginning of the new fiscal
14 year that we could use as augmenting this also.

15 BOARD MEMBER JONES: Madam Chair.

16 BOARD CHAIR MOULTON-PATTERSON: Yes, Mr. Jones.

17 BOARD MEMBER JONES: If, I'm going to try
18 something.

19 Item 47 for 75,000.

20 Item 52 for 35,000.

21 Item 66 for 85,000.

22 BOARD MEMBER ROBERTI: 66, what was that? What
23 was that last one?

24 BOARD MEMBER JONES: 66 for 85,000.

25 49 for 31,000.

1 53 with the augmentation, that's seventeen
2 grand.

3 And whatever the, whatever is left put on 62.

4 And don't fund 63.

5 So we wouldn't be funding 63 or 48. We would be
6 increasing funding on 47, and we'd be decreasing funding
7 on 62, and have to deal with savings to help pick up that
8 money over the course of the year.

9 BOARD CHAIR MOULTON-PATTERSON: I would hate to
10 see CRRA not funded. I think it's a great conference.

11 Could we possibly, Mr. Medina, could we get
12 started for 50,000? 85,000 sounds like so much. It's a
13 wonderful idea, but do you think we could have a start?
14 That's a lot since we have such a limited amount of
15 money.

16 BOARD MEMBER MEDINA: Madam Chair, I do not see
17 that as a lot given the timeliness. I'd be willing to
18 bring it down to 70 and, because otherwise it just
19 becomes a token amount that really does not allow you to
20 do justice to a project.

21 BOARD MEMBER JONES: And then put the other on
22 CRRA, the fifteen?

23 BOARD MEMBER MEDINA: Yeah.

24 BOARD CHAIR MOULTON-PATTERSON: At least
25 something.

1 BOARD MEMBER MEDINA: Yes.

2 BOARD MEMBER JONES: Because one thing, just for
3 the Board members, CRRA continually gets in-kind service
4 from this Board, okay. We do mailings. We include, and
5 I don't know if we still do this, and I don't want to, I
6 don't want to misstate, okay, because I don't know how
7 much we mail anymore, but we had always for the four
8 previous years gotten all of their information about
9 their conference and inserted it in with our mass
10 mailings to minimize; so they got their stuff out to who
11 they wanted, we included it, it didn't increase our
12 costs, it was some in-kind services; so really I think
13 that there is an opportunity. Plus our staff actually
14 works an awful lot of their areas. And, you know,
15 fifteen grand is fifteen grand, it's better than zero,
16 you know.

17 BOARD CHAIR MOULTON-PATTERSON: Well I feel
18 better about something. I wish we could do it all but --

19 BOARD MEMBER EATON: Well, is that for the
20 sponsorship item?

21 BOARD CHAIR MOULTON-PATTERSON: Yes.

22 BOARD MEMBER EATON: But it's not CRRA, we're
23 not making that decision? Or is that a decision for that
24 or just -- I thought it was going to be a sponsorship
25 concept, right? We're not going to identify which

1 sponsor, who gets the money at this point, is that
2 correct?

3 MS. VILLA: It is for sponsorship. If you
4 decide that that's what you want it to go towards, CRRRA,
5 certainly because that's one who is already asking.

6 BOARD MEMBER EATON: Right.

7 MS. VILLA: It does not give any other
8 consideration to other discretion.

9 BOARD MEMBER EATON: That's all I'm trying to
10 get to is that I'm just trying to figure out are we
11 trying to build a pot for sponsorship? And if that's, is
12 that what we're trying to do? I'm not opposed to that.

13 BOARD CHAIR MOULTON-PATTERSON: In the long
14 term I would like to see, you know, a pot so we wouldn't
15 have this.

16 BOARD MEMBER EATON: I agree. I agree.

17 MS. JORDAN: At this point in time because it's
18 such a limited amount I'm not sure that a lot of other
19 sponsorships would be, we would be able to fund them. I
20 think the Board might want to consider --

21 BOARD MEMBER EATON: We've got one coming up in
22 the other, in the next budget that is looking for some
23 sponsorship that wasn't funded as well so, you know, I'm
24 just trying to figure out. And the reason why I'm
25 asking, Madam Chair, is because, you know, I think

1 sponsorships are a good thing, so I'm willing, as long as
2 we have a pool, as you said, everyone can sort of then
3 submit or go out and tell people that we have like, you
4 know.

5 BOARD CHAIR MOULTON-PATTERSON: Compete.

6 BOARD MEMBER EATON: Compete in the next couple
7 of months, I'll throw, I'll reduce mine from 35,000 to
8 30,000 which takes the pressure off of some of the other
9 Board members' projects and goes into a sponsorship item,
10 as long as then people have the ability to compete for
11 that sponsorship item, and we don't make that decision
12 today.

13 BOARD CHAIR MOULTON-PATTERSON: Okay.

14 BOARD MEMBER EATON: So that gives you an extra
15 five, so mine would be reduced that I want to 30, so that
16 helps build the sponsorship so that we have some ability
17 to either split it or fund whatever is valid. So that
18 would be that.

19 BOARD MEMBER PAPARIAN: Madam Chair, can I ask a
20 question. As I'm adding up the numbers, I see what's
21 being suggested is reducing the Cal EPA building and
22 move-related costs from 168,000 to 103,000 if my math is
23 right.

24 What are the implications of that? Where does
25 that other 65,000 then come from if we do this this way?

1 MS. JORDAN: Certainly as mentioned in the
2 budget briefings, that we will have to look within, you
3 know, cutting back some costs elsewhere, monitoring very
4 closely our revenues, and hoping that, you know, bottom
5 line that we can manage the funds in order to try to make
6 this up. It may be that some contracts may not be
7 fulfilled. These are things that we would have to come
8 back to the Board for.

9 BOARD MEMBER PAPARIAN: So at least some of the
10 money you would look to existing line items --

11 MS. JORDAN: Certainly.

12 BOARD MEMBER PAPARIAN. That are out there for
13 each of the divisions and so forth?

14 MS. JORDAN: Certainly.

15 BOARD MEMBER MEDINA: Madam Chair, I had a
16 question on concept number 53, the newsprint quality
17 testing. I realize that that's an important program,
18 however it is an ongoing program, and could that be
19 better handled through a BCP process?

20 MS. JORDAN: It is one of our required, it's
21 required within our statutes. It is within our baseline.

22 One of the things that we've been looking at if
23 the Board would authorize this to happen is that this is
24 an annual issue that comes before the Board. The
25 possibility of moving it into the mandatory services

1 contracts might be a better thought, certainly that
2 offsets the total in the C&P, but it does have to occur
3 annually.

4 BOARD MEMBER EATON: So the 60 that we're short,
5 we have March, April, May, and June, basically \$15,000 a
6 month and, cause we always have a reallocation in May --

7 MS. JORDAN: In May, yes.

8 BOARD MEMBER EATON: -- anyways, correct?

9 MS. JORDAN: Certainly. That's right.

10 BOARD MEMBER EATON: And so I think that
11 historically that's where it all has sort of come in
12 where interagency agreements can't be executed.

13 MS. JORDAN: In May your timing is so short that
14 the only thing you really could do would be an
15 interagency agreement or a --

16 BOARD MEMBER EATON: I'm just saying that's
17 where the money comes back, we have to reallocate.

18 MS. JORDAN: Right.

19 BOARD MEMBER EATON: So one of the ways you
20 could do it is take whatever the shortfall is and say
21 that any savings we reallocated in the May reallocation
22 goes for the 60, or whatever the shortfall happens to be
23 with agreement of the Board. That's how you do it. It's
24 kind of a deferred payment credit plan, just float that
25 Visa.

1 BOARD MEMBER MEDINA: I would like to second Mr.
2 Jones' recommendation in regard to the items.

3 BOARD CHAIR MOULTON-PATTERSON: Okay. I'd like
4 you to restate it, please, Mr. Jones, if you don't mind?

5 BOARD MEMBER JONES: Okay.

6 We have 75,000 for item number 47.

7 We have 30,000 for item number 52.

8 We have 70,000 for item number 66.

9 We have 31,000 for item number 49.

10 We have, 53 would be a total, or item 53 would
11 be a total of 17,000.

12 Item 63, I think is at \$20,000, right?

13 MS. JORDAN: That's what I have.

14 BOARD MEMBER JONES: And the remainder would be
15 on item 62.

16 BOARD CHAIR MOULTON-PATTERSON: And how much
17 would that be for 62?

18 MS. VILLA: \$96,578.

19 BOARD CHAIR MOULTON-PATTERSON: And we're going
20 to be able to make that up in May, is that the thought?

21 MS. JORDAN: We'll be looking at the entire
22 budget to make sure that we can make this up. And we'll
23 bring before you in May, if we're having that difficulty
24 continuing to try to balance this, that will be before
25 you in May also as far as consulting professional

1 services.

2 BOARD CHAIR MOULTON-PATTERSON: I'm just
3 concerned because I mean as much as I don't want to pay
4 for the building and move-related costs, I mean we've got
5 to pay it, and before we can do discretionary items,
6 isn't that right?

7 MS. VILLA: We just wanted to highlight that
8 this is not, this is furniture that we needed to purchase
9 for our staff, so it's not building, per se, costs, it is
10 furniture that our staff are sitting in.

11 BOARD MEMBER PAPARIAN: Has the furniture been
12 purchased already or is the furniture still to be
13 purchased?

14 MS. VILLA: It's here.

15 BOARD CHAIR MOULTON-PATTERSON: You know, I just
16 don't see how I can vote for not furniture, for not
17 paying for furniture that's here and, you know, for, you
18 know, to give grants and stuff.

19 Any other Board members have any thoughts on
20 that?

21 BOARD MEMBER JONES: Madam Chair, I'd have no
22 problem with just doing, with just doing 48 and, 48 and
23 52, and then 49, 53, 62, and 63 -- or not 63. I mean
24 that doesn't bother me.

25 We're at, I mean if we want to do 48 -- not 48,

1 I'm sorry. I'm sorry -- 52, 66, 49, 53 and 62, I have no
2 problem with that. Where do we come out, where do we
3 come out with that math?

4 BOARD MEMBER ROBERTI: Madam Chair, I still
5 haven't heard from staff. How much do they need to pay
6 for the move?

7 BOARD CHAIR MOULTON-PATTERSON: The furniture?

8 BOARD MEMBER ROBERTI: Well, the furniture.

9 MS. VILLA: The request is 182,000. The
10 furniture itself is 172,000, the balance was, is for
11 business, the business cards at 10,000.

12 BOARD MEMBER ROBERTI: Do we owe all that money
13 right now?

14 MS. VILLA: I do not believe we have purchased
15 four hundred sets of business cards yet, so there could
16 be some savings associated with that.

17 BOARD MEMBER ROBERTI: The biggest part of the
18 savings.

19 BOARD MEMBER EATON: But they're only asking for
20 168. So the 172 figure, I mean the issue is whether or
21 not -- what was last year's May allocation in RMDZ? How
22 many hundreds of thousands of dollars?

23 MS. JORDAN: I believe it was like seven or
24 \$800,000.

25 BOARD MEMBER EATON: That's the float. You're

1 going to bet against the annual or recurring kind of
2 monies that aren't expended, that have to be expended,
3 which traditionally have, I'm not even going to venture a
4 guess, but I would say at a minimum are a couple of
5 hundred thousand dollars over the last several years.
6 Whether or not you want to float \$96,000 for a few months
7 it seems to me that, you know, that's better than the
8 Lotto.

9 MS. JORDAN: And certainly the, when it comes to
10 contracts they're estimated amounts, and based on an
11 interagency agreement when they go out to bid, they can
12 certainly come in under the cost that is stated here.

13 BOARD MEMBER ROBERTI: I'm still a little bit in
14 the dark. We have the furniture. We owe the money on
15 the furniture, but I'm taking from the question that
16 we've just heard we can wait to see what monies we have
17 in other funds?

18 MS. JORDAN: Typically the furniture would be
19 billed to some different, you know, across different
20 funds. We thought it appropriate to come out of the RMDZ
21 because it is recycled content furniture. The difficulty
22 we're having is with the --

23 BOARD MEMBER ROBERTI: But the furniture is
24 operative, it's operative to the entire, to our entire
25 Board, so I don't, so --

1 MS. JORDAN: But part of the issue is, as I
2 mentioned in the briefings earlier in this new year, was
3 that of our funds, for instance we just heard the tire
4 allocation item in December I believe it was; and within
5 that item you can see that there are, there is very
6 limited funding to even continue the program. And within
7 IWMA our actual reserve is down, and expenditure
8 authority is not great enough to handle the unfunded
9 costs of several things that occurred with our move and
10 with making sure --

11 BOARD MEMBER ROBERTI: I still don't quite
12 understand. IWMA is more limited in our ability to use
13 it than RMDZ? I would think it would be the other way
14 around.

15 MS. JORDAN: Well your RMDZ provision you have a
16 limited amount of money because you're dealing with
17 savings you have over the last two fiscal years.

18 In IWMA, as I mentioned in the briefings, our
19 expenditure authority is a certain amount. We have a
20 budgeted amount within each of the program areas, and we
21 are watching those very carefully, and we are also
22 monitoring our revenues that are coming in, and they are
23 not coming in higher than we anticipated, we --

24 BOARD MEMBER ROBERTI: I think I'm going to
25 support Mr. Jones' motion and, the original motion if he

1 still has it in front of us. And from what I gather
2 there has to be other methodologies that we can pay for
3 existing obligations. And with all due respect to our
4 staff, I think staff made a policy decision that it
5 should all come out of RMDZ.

6 MS. JORDAN: We did not make a policy decision
7 that it should come out of RMDZ, we are looking to that
8 fund source as a possibility. We have competing
9 priorities with regards to expenditures that are
10 occurring and have occurred.

11 BOARD CHAIR MOULTON-PATTERSON: So Mr. Eaton,
12 your point wasn't that normally we can depend on having
13 that 700,000 in May that we had to spend?

14 BOARD MEMBER EATON: I asked last year what was
15 the amount of money. What I had said is traditionally
16 there has always been a reallocation of monies that had
17 been unexpended in May.

18 BOARD CHAIR MOULTON-PATTERSON: Uh-huh.

19 BOARD MEMBER EATON: And if my recollection
20 serves me well, I asked a question what was that last
21 year, she said 700,000, I don't think it will be that
22 high this year; but I think historically it had been in
23 the, in at least the few years I've been here, always at
24 least a couple of hundred thousand dollars.

25 MS. JORDAN: And certainly with the amount you

1 see before you right now, and the things that will be
2 allocated, you're not going to have a whole lot, but we
3 will have some that we can be working with. It may be
4 very limited.

5 BOARD MEMBER EATON: So for instance, let's just
6 say that, worst case scenario, let's just say that I'm
7 completely wrong, and I'm willing to wager that I'm not,
8 my program, that there was not any reallocation of RMDZ
9 come May.

10 I would believe that of all the concepts we
11 approve today, at least half of them will not have been
12 successfully executed so that, therefore, you will have
13 the money available based upon these projects, and then
14 our allocation will be those that haven't been
15 successfully contracted for or are still in concept form.

16 Because it takes a period of time for these
17 concepts to then move through. My understanding is the
18 programmatic staff, the administrative staff, and then
19 once that happens it actually comes back to us for
20 approval and spending of the money, is that correct?

21 MS. JORDAN: That's correct, it will come back.

22 BOARD MEMBER EATON: So that's like a scope of
23 work and a contract. So come May if we don't have the
24 money, we won't approve the contracts because we have to
25 pay the other bill.

1 BOARD CHAIR MOULTON-PATTERSON: So they're
2 not --

3 BOARD MEMBER EATON: I think that's what I'm
4 saying. I mean it's pretty, I mean at each point we have
5 the ability to balance the checkbook by what we're doing
6 here. And that's what I'm saying to get past today.

7 BOARD CHAIR MOULTON-PATTERSON: So they're not
8 going to repossesses our furniture.

9 BOARD MEMBER EATON: Well I think the furniture
10 that Arturo sat on yesterday should be returned, but I'll
11 leave it up to him.

12 BOARD CHAIR MOULTON-PATTERSON: Okay. Restate
13 your motion, please, Mr. Jones.

14 BOARD MEMBER EATON: That's all I'm getting at
15 because, I mean, and before you do, if you would like,
16 Madam Chair, maybe staff direction can be is give us an
17 update, you know, in April, if you want, as to where we
18 are with execution of this before we go quote unquote
19 "over the cliff." And then therefore we will know what
20 contracts or statutes, not bring any contracts forward
21 until such time as we see where we are in May. That
22 would give you the ability then to know how to balance
23 that.

24 BOARD CHAIR MOULTON-PATTERSON: Okay.

25 BOARD MEMBER JONES: And also we've got some

1 contract concepts that have been approved previously that
2 probably have not funded, and they were in a three year
3 window. This is in a three year window too, right? It
4 still falls within a three year window, so we may have a
5 couple that have been approved before that the Board
6 members need to know it hasn't gone anywhere.

7 I want to restate the motion on this. That we
8 fund item number 47 for 75,000.

9 Item number 52 for 30,000.

10 Item number 66 for 70,000.

11 Item number 49 for 31,000.

12 Item number 53 for 17,000.

13 Item number 63 for 20,000.

14 And item 62 for 96,700 and -- is it how much?

15 MS. VILLA: 578.

16 BOARD MEMBER JONES: Okay.

17 BOARD MEMBER MEDINA: Second.

18 BOARD CHAIR MOULTON-PATTERSON: And you're
19 seconding?

20 BOARD MEMBER MEDINA: Yes.

21 BOARD CHAIR MOULTON-PATTERSON: Okay. We have a
22 motion by Mr. Jones, seconded by Mr. Medina. Please call
23 the roll.

24 Please call the roll.

25 COMMITTEE SECRETARY VILLA: Eaton.

1 BOARD MEMBER EATON: Aye.
2 BOARD SECRETARY VILLA: Jones.
3 BOARD MEMBER JONES: Aye.
4 BOARD SECRETARY VILLA: Medina.
5 BOARD MEMBER MEDINA: Aye.
6 BOARD SECRETARY VILLA: Paparian.
7 BOARD MEMBER PAPARIAN: Aye.
8 BOARD SECRETARY VILLA: Roberti.
9 BOARD MEMBER ROBERTI: Aye.
10 BOARD SECRETARY VILLA: Moulton-Patterson.
11 BOARD CHAIR MOULTON-PATTERSON: Aye. Okay.
12 Next one.
13 MS. VILLA: Okay. Attachment number four are
14 the item concepts. And the first one is concept number
15 fifty. This is for a compost management pilot project.
16 Composting facilities has been a great concern for
17 homeowners and operators, local enforcement agencies --
18 BOARD CHAIR MOULTON-PATTERSON: Excuse me, Ms.
19 Villa, I'm terribly sorry, but I think we need a break.
20 I didn't realize that the time had passed so quickly.
21 We'll take ten minutes and be right back at
22 this.
23 (Thereupon there was a brief recess.)
24 BOARD CHAIR MOULTON-PATTERSON: I'll start at
25 this end. Ex parte, Senator Roberti?

1 BOARD MEMBER ROBERTI: No.

2 BOARD CHAIR MOULTON-PATTERSON: Okay, thank you.
3 Mr. Paparian.

4 BOARD MEMBER PAPARIAN: None.

5 BOARD CHAIR MOULTON-PATTERSON: Mr. Medina.

6 BOARD MEMBER PAPARIAN: I had one memo that came
7 in from Donna Carlson, Executive Director of the Rubber
8 Pavements Association, and that's in regard to the
9 rubberized asphalt concrete issues.

10 BOARD CHAIR MOULTON-PATTERSON: Thank you. Mr.
11 Eaton.

12 BOARD MEMBER EATON: I just said a quick hello
13 to Denise Delmatier and also a quick hello to John Cupps
14 regarding his waste news gossip column.

15 BOARD MEMBER ROBERTI: Madam Chair.

16 BOARD CHAIR MOULTON-PATTERSON: Yes, Senator
17 Roberti.

18 BOARD MEMBER ROBERTI: I did have an ex parte
19 from yesterday. Around 4:00 o'clock in the afternoon I
20 met with Mr. Kelly Smith and a visiting delegation of
21 concerned citizens over the audit, the conflict of
22 interest with LEAs, possible conflict of interest of
23 LEAs. I think those were the things that were discussed.

24 I don't have the list of the participants yet,
25 Mr. Smith said he would get them for me. So I don't

1 suspect we're discussing any of that today, but for the
2 record as soon as I get the names I will put them down.

3 BOARD CHAIR MOULTON-PATTERSON: Okay. Thank
4 you, Senator Roberti.

5 Mr. Jones, any ex-parte?

6 BOARD MEMBER JONES: No, ma'am.

7 BOARD CHAIR MOULTON-PATTERSON: Okay. We'll
8 turn it back over to Ms. Jordan and Ms. Villa.

9 MS. VILLA: Okay. Beginning with attachment
10 number four, if we'd like to just go through those
11 concepts as we did the first round.

12 The first concept on attachment number four is
13 compost odor management pilot project. That concept is
14 for an odor management composting facilities. There have
15 been a great number of concerns from homeowners,
16 operators, local enforcement agencies, Board members, and
17 Board staff that in this proposal would directly address
18 those concerns. It would provide the Board with much
19 needed technical information that could be disseminated
20 to operators and local enforcement agencies statewide.

21 Any questions on that one? Okay.

22 Concept 55 is the next one on that list. That
23 is for green building technical assistance, and this
24 concept would fund the augmentation of the existing
25 contract, contract item C-9051, and this project will

1 provide technical support to the goals and objectives and
2 the Board's sustainable building plan.

3 The next concept is the landfill operator
4 training, concept number 61. This concept is a
5 continuation of efforts previously undertaken by the
6 Board for landfill operator training, and will fund
7 additional training opportunities for operators, local
8 enforcement agencies, and Board appeals staff.

9 And then concept number 51, which is the
10 electronic waste study. As I mentioned earlier in my
11 presentation, that this also, there was another concept
12 in agenda item 19 that was approved yesterday, and there
13 is a difference between the two programs.

14 This concept 51 will look at the useful life of
15 many personal electronic products are dramatically
16 shortened by technological innovations, and California is
17 leading the nation in this massive technological upgrade;
18 and as a result Californians can expect a flood of
19 electronic waste.

20 There is an embryonic recycling infrastructure
21 emerging in California, but it is insufficient to handle
22 the expected surge of E waste.

23 And this concept would provide a contract to
24 produce a baseline report consisting of two elements; the
25 amount identified in the amounts and types of electronic

1 waste generated in California; and examination, and
2 examine the conditions of the statewide infrastructure
3 for recovery, reuse, and recycling of E waste.

4 The next concept is concept 54. This concept
5 is, also ties into a concept that was approved in
6 yesterday's item, and this focuses on the materials
7 emissions testing in portable classrooms. And this would
8 be kind of a joint venture that we would be working with
9 the Department of Health Services and their consultant
10 that they have on board to accomplish this task.

11 And the next concept is concept number 60, the
12 study of minority communities and the waste stream. This
13 concept would fund a study to determine the impact of the
14 Latino population of California on the waste stream.
15 There are more than thirteen million Latinos in
16 California, comprising approximately one-third of the
17 total population of the state.

18 The next concept is concept number 56,
19 California Plastics Recycling Retail Promotion Campaign
20 for 2001. And it's, the Board at the February 23rd, 2000
21 meeting, the Board approved 30,000 to co-sponsor a public
22 outreach effort in collaboration with the American
23 Plastics Council, Albertsons grocery stores, and others.
24 And according to the initial results of the survey
25 conducted by an independent contractor, four selected

1 communities showed increases in plastic bottle collection
2 of 17 to 28 percent. And this would be an expansion of
3 that program.

4 And the next concept is concept number 65, and
5 that is the Native American Intergovernmental Education
6 Program. This concept would focus on native cultural
7 values related to the organization and delivery of solid
8 waste methodology that works in a tribal setting.

9 The next concept is concept 59, the Public
10 Revenue Recycling Council, Venue Recycling Council. The
11 state has over 160 public venues, convention centers,
12 fairs, arenas, stadiums that host up to forty billion
13 attendees annually, and approximately 60,000 tons of
14 waste is generated at these large public gatherings. And
15 diverting this waste from both publicly and privately
16 operated venues would make a significant impact on
17 jurisdictions reaching the fifty percent goal.

18 And the next concept is concept number 70, the
19 river cleanup. This concept would fund a project that
20 proposes the development of a California Baja Program to
21 screen the new river and to extract any present coarse
22 waste solids. Screenings for extraction can include
23 mattresses, plastics, containers, pieces of loggers, dead
24 animals. In addition, the program would also include a
25 plan to prevent further dumping in the river.

1 And concept number 71, the Solid Waste Facility
2 Inspection Training. This concept would fund a project
3 intended to provide for the design and implementation of
4 two training workshops for the City of Tijuana staff that
5 focus on solid waste facility inspector requirements,
6 similar to those taught to Board of Appeals staff.

7 And then the last concept is concept 72,
8 unfunded costs for office moves. And in addition to that
9 we included the signage for this building. And that
10 concept is for \$98,000. And that, the unfunded move
11 costs are related to the exploration of potential new
12 sites in the Southern California office, which are
13 estimated at approximately \$88,000 and that, and \$10,000
14 towards the consistent signage in this building. Those
15 would be name plates for each of our staff in this
16 building that are, have a consistent look throughout.

17 BOARD CHAIR MOULTON-PATTERSON: Okay.

18 Questions?

19 Mr. Eaton.

20 BOARD MEMBER EATON: The unfunded cost of the
21 move, is that for a leasing agent? What, if it's
22 unfunded, is it for a leasing agent? What are we talking
23 about?

24 MS. VILLA: Right now we are just working with
25 the Department of General Services and they are doing

1 some searches for us, and there are some costs associated
2 with this.

3 The majority of the cost set aside would be for
4 if we do find locations that are agreeable and meet all
5 of our needs, our growth issues, then we would have
6 additional costs like modular furniture build-outs,
7 tenant improvements, I.T. related costs, telephone lines,
8 those types of things would be what this money would
9 cover.

10 BOARD MEMBER EATON: And what's the timeline?

11 MS. VILLA: We don't have any solid leases in
12 place, so we're not even to the stage of negotiating
13 leases or anything like that. And once we did determine
14 what sites we wanted to move forward with, we'd have to
15 do the appropriate notifications to appropriate
16 contractual agreements for staff. So we're several
17 months out at least.

18 BOARD MEMBER EATON: How much are we looking
19 for, space-wise, square footage?

20 MS. VILLA: Approximately for twenty staff. And
21 we're looking at a couple of locations.

22 BOARD CHAIR MOULTON-PATTERSON: And this is not
23 for new but to replace, isn't that correct?

24 MS. VILLA: Yes, this would replace existing
25 locations.

1 BOARD MEMBER EATON: That would be a
2 consolidation effort?

3 MS. VILLA: Not necessarily. We're looking at
4 two locations that would best meet the needs
5 location-wise for staff to meet with their clients and
6 who they need to meet with to do their work.

7 BOARD MEMBER EATON: And what would be in that
8 staffing? What would be in the twenty? How much in each
9 division, an even split or programmatic?

10 MS. JORDAN: It's approximately and even split.
11 We are anticipating growth in the tire program. I
12 understand that there's, through Mr. Leary's division
13 that they're looking at replacing some inspectors down
14 there in addition to the staff that are currently down
15 there.

16 BOARD MEMBER EATON: So it would be new staff as
17 well?

18 BOARD CHAIR MOULTON-PATTERSON: It would be some
19 new growth.

20 BOARD CHAIR MOULTON-PATTERSON: I meant in the
21 office.

22 MS. JORDAN: There's also some public
23 accessibility and parking issues at some of the current
24 locations, so there's a variety of reasons why we are
25 exploring this.

1 BOARD MEMBER PAPARIAN: Madam Chair.

2 BOARD CHAIR MOULTON-PATTERSON: Mr. Paparian.

3 BOARD MEMBER PAPARIAN: On that point, if there
4 are tire related staff there, would the money be more
5 appropriate from the tire funds than this account, or
6 some of the money?

7 MS. JORDAN: Certainly we'd be looking at least
8 cost within the tire fund. We have -- actually I'm not
9 sure whether we, what the lease is for Southern
10 California right now, but these are costs that would be
11 incurred, not necessarily for the lease itself. And
12 certainly we have leases currently, and we'd like to see
13 those just offset with no new increased costs. But tire
14 would be looked at also.

15 BOARD MEMBER PAPARIAN: Yeah, I understand
16 that. But, so it sounds like some of these costs are
17 directly for staff who would be in the tire program.

18 MS. JORDAN: That is true. However, this
19 current fiscal year is, our understanding was, as Susan
20 mentioned, we are a few months out on actually achieving,
21 you know, actual exploration, actually entering into a
22 lease negotiation if that becomes, you know, comes to
23 fruition.

24 However, this current fiscal year, as you know
25 through the tire allocation item, there isn't additional

1 funds to be able to be used. We would be looking at a
2 new fiscal year with the success of the tire program to
3 helping to offset some of these costs.

4 But we have immediate cost needs that we are
5 anticipating if this were to occur before the end of the
6 fiscal year.

7 BOARD MEMBER PAPARIAN: Would it be possible to
8 get reimbursed from the tire account for the tire related
9 staff costs within the \$90,000?

10 MS. JORDAN: Those dollars were allocated for
11 specific purposes in the last couple of months. We'd
12 have to try to work with the division and with the Board
13 to see if there's something that could change within
14 those allocations.

15 BOARD MEMBER PAPARIAN: I understand that, but
16 can you reimburse after July 1st for -- I understand the
17 July 1st problem.

18 Can you reimburse after July 1st if you use some
19 of this 98,000 for tire staff before July 1st.

20 MS. JORDAN: Well you'd be looking at two
21 different fiscal years worth of funds, so you can't
22 reimburse. But what we would be looking at is a better
23 distribution of the costs through the different fund.

24 BOARD MEMBER PAPARIAN: Thanks.

25 BOARD CHAIR MOULTON-PATTERSON: And Senator

1 Roberti.

2 BOARD MEMBER ROBERTI: I traveled with staff on
3 looking at some of the possible locations in Southern
4 California. What is our time, what is our earliest
5 timeframe to establish the new office there?

6 MS. VILLA: We originally asked for something by
7 April 1st, but we, we haven't even begun a negotiation
8 stage --

9 BOARD MEMBER ROBERTI: So I don't think --

10 MS. VILLA: So it's several months out.

11 BOARD MEMBER ROBERTI: Yeah, so I would say
12 we're probably looking after July 1st.

13 MS. VILLA: It could feasibly be July 1st, after
14 July 1st.

15 BOARD MEMBER ROBERTI: I wish that weren't the
16 case, but I think that is the case. Consequently is, why
17 is this fiscal year involved?

18 MS. VILLA: If we were successful in locating
19 something that we could get into right away, then we
20 would be incurring some of these costs this fiscal year.

21 BOARD MEMBER ROBERTI: Okay. But if we don't,
22 then can we come back and relook at the money that's
23 been --

24 MS. VILLA: Yes, in fact this could be
25 considered also in the May reallocation.

1 BOARD MEMBER ROBERTI: Yeah, say May or June
2 and we have not located anywhere, if we voted a
3 reallocation in June, would that cause us any problem as
4 far as the appropriation of the money is concerned?

5 MS. JORDAN: No, I don't see that as being a
6 problem. And certainly as we work through this
7 exploration with DGS we'll get a better sense of the
8 timeline.

9 BOARD MEMBER ROBERTI: Okay.

10 MS. JORDAN: And it could be even, you know,
11 closer to the beginning of the new fiscal year.

12 BOARD MEMBER ROBERTI: Yeah. Yeah. I wish that
13 weren't the case, but I think reality is such that it
14 probably will be the case.

15 MS. JORDAN: It does take time.

16 BOARD MEMBER ROBERTI: And I would just hate to
17 see us either lose the money or not make an intelligent
18 judgment on what we're doing right now because we don't
19 know we have roughly a hundred thousand dollars available
20 to us.

21 MS. JORDAN: And basically, though, you could
22 look at it in a couple of different ways. The way that
23 you just looked at it, and allocating it for that
24 purpose; or if you do allocate it to this purpose then in
25 May we would be looking at, say it hasn't come to

1 fruition, there are these dollars in savings.

2 BOARD MEMBER ROBERTI: Okay.

3 BOARD CHAIR MOULTON-PATTERSON: So, but we
4 should, in case something moves faster than you thought,
5 do it today, is that correct?

6 MS. JORDAN: Well there will be some costs
7 incurred with the Department of General Services that we
8 are charged for them acting as our leasing agent.

9 BOARD CHAIR MOULTON-PATTERSON: Okay. And then
10 one thing, I had just one question and, before I forget I
11 just wanted to again mention that we did get a letter
12 from the Air Board, Mike Kenny, Executive Director of the
13 Board, in support of concept number 54.

14 And my question on this, when it's on electronic
15 waste study, which I think is great and, you know, I'm
16 really in favor of that, can we, rather than -- will we
17 be able to get some plans on how we address the, you
18 know, needs for recycling E waste, which could include a
19 plan for local governments to comply? Or is this just to
20 study the current state of E waste.

21 Maybe Mr. Paparian can answer. I mean, are we
22 just going to study the current situation, or are we
23 going to come forth with some recommendations for
24 75,000?

25 BOARD MEMBER PAPARIAN: My understanding is that

1 we'll use this contract to examine the nature of the
2 problem which we don't have a really good handle on. We
3 don't know how much electronic waste is out there waiting
4 to be disposed of in some way. We have some anecdotal
5 information that there might be a couple million monitors
6 out there, but we don't know for sure.

7 On top of that, we're expecting a potential
8 flood of new electronic waste into the waste stream as
9 people make the switch from normal televisions that you
10 have now to high definition televisions in the future.
11 We don't know exactly what impact that's going to have.
12 The study I believe will be looking at that as well.

13 And then finally, I will be looking at some of
14 the available infrastructure for dealing with these items
15 and what might be needed there. So we'll get into the
16 issue of what the infrastructure is and what the, what
17 some of the needs there might be. And I see Mark there,
18 he may be able to shed some more light.

19 BOARD CHAIR MOULTON-PATTERSON: Yeah. I guess
20 where I'm coming from is local governments are saying,
21 oh, what do we do with these? So as we're finding out
22 information, I would hope that we could pass along at
23 least what we know for \$75,000.

24 MR. LEARY: Absolutely, Madam Chair, but as --
25 Mark Leary with the Special Waste Division. As Mr.

1 Paparian has stated, this is really, it is an initial
2 baseline study.

3 That baseline information will, I'm sure, be
4 useful to local governments as they assess their
5 own current resources for handling electronic waste. But
6 until we have that baseline, they too have nothing to
7 work with.

8 BOARD CHAIR MOULTON-PATTERSON: Okay.

9 BOARD MEMBER PAPARIAN: But we don't know how
10 much --

11 BOARD CHAIR MOULTON-PATTERSON: I understand
12 it's a huge problem.

13 BOARD MEMBER PAPARIAN: Yeah. And how much
14 infrastructure does Los Angeles or any other community
15 need to deal with the problem? What's the, what are they
16 going to be facing in the next couple of years? We don't
17 have a good handle on that. So that's what this
18 information should provide, and then we'll be able to
19 then plan for how to deal with the waste in the future.

20 BOARD CHAIR MOULTON-PATTERSON: And I just want
21 to publicly thank you, Mr. Paparian, for all your work in
22 this area. We really appreciate it.

23 BOARD MEMBER PAPARIAN: Thanks.

24 BOARD MEMBER EATON: As long as we're talking
25 about immediate waste, one of the things I think, even

1 though it's not on the list here that we should think
2 about, I have the Governor's press release right here
3 regarding his \$800 million energy efficiency demand and
4 reduction program. And I notice that he allocates at
5 least \$75 million at a minimum to augment the PUC's
6 program of providing rebates to consumers who replace
7 inefficient appliances.

8 Those appliances are going to be in our waste
9 stream immediately. And I think whether we do it today
10 or we do it at the allocation in May, we have to address
11 that. That is an immediate issue; whether it be the
12 stuff that I'm talking about, life cycle, as Mr. Paparian
13 is talking about E waste, this is the Governor's proposal
14 here.

15 And if we're here to support what's going to
16 take place with energy efficiency, our job generally has
17 been mainstream waste management of all kinds, and this
18 is an immediate problem.

19 And that's one that I think all of us have gone,
20 or some of us have gone through the plant in CARB I
21 believe it is that does that. We need to figure out, and
22 maybe not as part of this allocation, but direct staff to
23 come back with something as to how that dovetails into
24 the PUC, and then whatever else comes out of that.
25 Because those will find their way into landfills and all

1 of the other kinds of situations.

2 So I think that's the kind of forward thinking
3 immediate problem we need, because those are going to end
4 up on the side of our road. If they don't do it then, if
5 they don't have a place to dump their computers they're
6 going to wind up landfilled, and that's, I think, one of
7 the ways we should be doing our work with E energy.

8 BOARD CHAIR MOULTON-PATTERSON: I agree. And I
9 believe Mr. Chandler had done quite a bit of work on
10 this, and we had an initial proposal at one time, so
11 maybe we can really take a good look at it.

12 While we're thinking about how we want to go in
13 this area, and also I did want to say that there was
14 another concept 56, California Plastics Recycling that I
15 thought was a great program. I don't know if we're going
16 to have enough money for it or not, but I did talk to
17 representatives and it sounded like a really great
18 program.

19 But while we're waiting, we do have some
20 speakers. Tim Shestick -- I hope I'm saying that right,
21 Tim, and Bill Criswell.

22 BOARD MEMBER EATON: We call him Tiger Shestick.

23 BOARD CHAIR MOULTON-PATTERSON: Okay.

24 MR. SHESTICK: Madam Chair and members, thank
25 you, Tim Shestick with the American Plastics Council.

1 I want to first thank the Board for this
2 opportunity to address you all on the sponsorship request
3 for a continued plastics recycling education program.

4 As you know, we've worked in partnership over
5 the last couple of years to refine an education program
6 to help increase and motivate consumers to recycle more
7 plastic bottles.

8 The program, as you both are well aware of, is
9 an in-store partnership with the Albertsons grocery store
10 chain. We're going to reach 480 stores, that would
11 include our recycling message as part of shelf talkers
12 and floor stickers. We're talking about paid radio spots
13 throughout the state, public television service
14 announcements, media opportunities. And essentially the
15 ability to reach millions of consumers with a positive
16 recycling message.

17 The results of these last couple of years of
18 programs speak for themselves. Independent consultants
19 have looked at the program and the communities where the
20 program aired, and where the materials were in place,
21 more bottles are being recycled as a result of the
22 program, and we're confident in that.

23 One thing that we've spent a lot of time talking
24 to each of the Board members and their staffs about, the
25 intricacies of the program. I think we may have failed a

1 bit in a way of not adequately addressing the role of the
2 Board and how it, the Board itself, just by the nature of
3 it participating, has helped this program succeed.

4 The Board's \$50,000 sponsorship, if it were to
5 proceed, you know, essentially really doesn't make up a
6 whole lot of the entire budget. I mean we're talking
7 about a half a million dollar project here, and \$50,000
8 essentially really isn't a whole lot of money for it.

9 More importantly though, I think the Board's
10 participation really serves as a catalyst for other
11 entities to get on board. I'm talking about the private
12 sector essentially.

13 The Albertsons grocery store chain, grocery
14 manufacturers, other consumer product companies have seen
15 the Board step to the table, and they are willing to step
16 to the table as well.

17 In addition to acting as a catalyst in bringing
18 other partners on board, the Board's participation has
19 enabled us to generate some earned media surrounding this
20 program. Mr. Jones and other Board members have
21 participated in press conferences helping us get the
22 recycling message out. And without the Board's
23 participation I don't think our program would have been
24 as successful.

25 I want to touch real briefly on the subject of

1 expanding our program and the partners. We are currently
2 engaged in conversations with the Department of
3 Conservation to explore how our campaign can be
4 integrated with their much broader \$10 million public
5 education campaign, focusing on beverage containers.

6 We want to create a unified message. We want to
7 create an opportunity where we can maybe explore some
8 other program components, maybe some in-school
9 educational tools focusing on children; taking advantage
10 of some of our current partners such as the zoos and
11 Radio Disney to reach that audience and help motivate
12 them to recycle more plastic bottles.

13 I want to just add that without the Board's
14 support I want to say that I think our program is in
15 somewhat of jeopardy. We are building, I think, a
16 framework for continuing a positive program, not just at
17 the state level for helping local governments implement
18 recycling programs associated with plastics.

19 This program is an integral part of an effort we
20 are working closely with with the City of San Francisco
21 to help that jurisdiction recycle more plastic bottles at
22 the curbside and at public venues, and Pacific Bell Park
23 to name just one.

24 With that, I just want to encourage the Board to
25 really closely examine support for this program. We

1 believe it's a unique public private partnership
2 opportunity that can really leverage a small amount or a
3 small investment amount here from the Board into what I'm
4 going to call almost a Renaissance of how we could look
5 at plastics recycling and motivate consumers to
6 participate more aggressively.

7 I know firsthand, having sat in countless
8 meetings of the RPPC interested parties, and believe me I
9 love to come to those, it's not, you know, I think it's
10 very worthwhile; but I know that plastics recycling is a
11 priority for the Board, and this program is something
12 that we can point to together to really demonstrate that
13 we are making progress in trying to increase the plastics
14 recycling.

15 So with that, I would just ask the Board to
16 maybe direct staff to examine ways of how we might be
17 able to support this project, without taking too much
18 away from the other projects; because I know that they
19 are an integral part of the Board's work to meet its
20 mission.

21 And with that I want to thank the Board for the
22 opportunity to address you today.

23 BOARD MEMBER PAPARIAN: Can I ask a couple
24 questions? You mentioned that you're looking at possible
25 partnerships with the Department of Conservation. Are

1 you asking them for money to fund this project also?

2 MR. SHESTICK: We initially asked them for some
3 funding. We have not reached an agreement with them as
4 to what type of funding they might be able to provide, or
5 how we can integrate our campaign into their overall
6 campaign. We had a very positive meeting just yesterday
7 with the department, and I'm very optimistic on how we
8 can somehow integrate both campaigns, and possibly get
9 all parties involved in a unified message, but
10 incorporating the key and unique aspects of our campaign
11 into theirs.

12 BOARD MEMBER PAPARIAN: So are you expecting
13 them to fund this, help co-fund this project?

14 MR. SHESTICK: I would say that I'm expecting
15 our project to be, not necessarily funded by them, but
16 somehow integrated into an overall project, yes. We
17 would be a part of an overall recycling education
18 campaign.

19 BOARD MEMBER PAPARIAN: Did they fund the last
20 time around or not?

21 MR. SHESTICK: They did not, no.

22 BOARD MEMBER PAPARIAN: Okay. Thanks.

23 MR. CRISWELL: If I may, I might just add to
24 that comment too. My name is Bill Criswell, and I worked
25 on the program the last two and a half years that we

1 worked on it. And I would like to say without the
2 support of the Board, this program would have never
3 gotten off the ground to begin with. But the success of
4 it for the future, to have your support is vital.

5 And your question about the DOC brings up a good
6 point. Because our program is a public awareness
7 program, it's a public service. Albertsons, all of our
8 other partners that have come on board have come on board
9 because you, the Board, are part of this program.

10 So when we go to media and when we distribute
11 our television public service announcements, in the past
12 we've been able to distribute those along with a letter
13 from the Board. So the media looks at it as this is not
14 a paid announcement, this is a public service
15 announcement supported by the state, and therefore it's
16 gotten on the air.

17 So last year we did it in Northern California,
18 we're trying to expand it to all of the state, so we'll
19 be in 480 Albertsons stores statewide. And I just would
20 like to add a couple other things.

21 That by being in the Albertsons stores, 480 of
22 those statewide for a nine week period, they average
23 15,000 customers per week per store. That translates to
24 64,800,000 customer transactions with that, within that
25 nine week period that will actually have the visibility

1 or the customers seeing our messages.

2 So again, it's the Board's support that gets the
3 public service qualification for us to be able to do
4 this. So once again, we're asking for your continued
5 support. Last year was very beneficial, we're hoping to
6 continue it.

7 BOARD MEMBER JONES: Bill, I think one thing to
8 follow up on with Mr. Paparian's question about DOCs
9 funding the last year, when this effort -- two things
10 have come out of this effort.

11 One was when it was originally approached, when
12 they originally approached the Board on this, we made
13 sure that there was a, we didn't want, I didn't want to
14 be any part of a program that promoted recycling if they
15 didn't help those recyclers find markets for the product
16 that was accumulated. Because that happened to my
17 industry a long time ago with the folks in the plastics
18 industry.

19 And they helped the industry by coming up with a
20 hotline or with a computer web that our website actually
21 can link to, that will show recyclers markets, market
22 availability for different plastics that are collected,
23 not only through these programs but through other
24 programs, which was a big benefit.

25 And last year at the unveiling of this on the

1 steps of the Capitol, there were a couple of Assemblymen
2 who had, one who is now a senator, and others in state
3 government, me included, that were at that. And it was
4 pretty ironic that there were five members of the DOC who
5 had refused to fund it that were standing out there
6 making sure to check every word because they didn't want
7 all the credit to go to the Waste Board.

8 And I think that it's a good project where APC
9 and I have had our differences over the years, and we
10 continue to; but one of the opportunities that I took
11 that day was when we looked at a table full of plastic
12 products, I was able to identify six of those products
13 that had been constructed with post consumer resins.

14 So part of my presentation to the press and to
15 the public was that not only does this program help in
16 the collection and making people aware of the
17 recyclability of that material, but it also serves as a
18 feedstock and a Buy Recycled campaign that we were able
19 to show them that the products they buy every day that,
20 in fact, are made of recycled content, which goes exactly
21 to what our mission is on that, on that thing.

22 So I've always endorsed this program from day
23 one. And if DOC is true to their comments with us of
24 working jointly and cooperatively, as they said at last
25 month's meeting, this is a good opportunity for them, if

1 we come to the table with money two years in a row, maybe
2 they can come with some money too. And this may be
3 exactly what they need to do that.

4 BOARD MEMBER PAPARIAN: Well I think before we
5 would even, you know, proceed with this, I think we would
6 need to sit down with DOC and figure out how this type of
7 spending integrates with what they're doing in this new
8 spirit of cooperation that we're going to have with DOC.

9 If they're going out, as was suggested on some
10 educational programs and so forth, that I want to make
11 sure that what we do results in the best state effort
12 overall, and that would include whatever DOC might do.

13 BOARD MEMBER EATON: Well I would disagree with
14 Mr. Jones. I haven't always supported this concept,
15 probably, in fact, fought pretty hard against it, but was
16 supportive of it the last time. And I have one question,
17 you are going to expand this now to the rest of the
18 state, to central as well as Southern California?

19 MR. CRISWELL: It will be statewide. We are in
20 179 -- 197 Albertsons stores with our in store
21 promotional materials just for Northern California this
22 last time period, so this time we'll be able to be
23 statewide, 480 stores with all the materials.

24 BOARD MEMBER EATON: And I think that's the
25 benefit of a program like this if you continue it.

1 Regardless of what the results have been there, and now
2 we are going to go statewide, and I did support it the
3 last time, it's a good idea, especially with the
4 expansion now, and I can speak because I have been on
5 both sides of the discipline, so I think it's a good
6 program.

7 MR. CRISWELL: And we do plan to work with DOC
8 in our messages so we're not having mixed messages out
9 there. But again I point out that the Department of
10 Conservation has a \$10 million paid advertising budget,
11 where ours is a public service campaign. So although the
12 messages will be similar, our \$500,000 campaign will, in
13 effect, be worth three or four million dollars because of
14 the public private partnership.

15 BOARD MEMBER JONES: Thank you. Our chairwoman
16 had a, she's got to give a speech and is on her way to do
17 that, so she asked me to continue this meeting.

18 So do we have -- let me just check and see what
19 other speakers we have on this. I think that was it.
20 Okay. Those were the only two public speakers.

21 So I guess we get to start playing with the
22 numbers. I will say one thing --

23 BOARD MEMBER EATON: Who designated you as the
24 green shade today?

25 BOARD MEMBER JONES: Thank you. I will say one

1 thing, it came in too late, but it's kind of ironic that,
2 you know, that maybe we don't have to allocate all these
3 dollars right now. Maybe we don't have to allocate all
4 these dollars right now.

5 Somebody came forward with a proposal to look at
6 closed and operating landfills to do a study to find out
7 what the potential is to get that gas and turn it into
8 energy statewide, but that doesn't come without funding.

9 It was just a, it was just something that
10 happened over the weekend by some pretty capable people
11 that could actually look and see what kind of leveraging
12 partnerships may be available.

13 BOARD MEMBER PAPARIAN: And you may know more
14 about this than I do, but I heard there's a private
15 company out there actually doing some work in this area
16 right now statewide, that they've maybe signed some
17 agreements in Southern California and are looking at some
18 landfills in San Diego and elsewhere.

19 BOARD MEMBER JONES: Yeah, there's a lot of
20 companies that do gas to energy. This would actually be
21 looking at sites, both closed and active, that don't have
22 those kinds of facilities, to see what the potential is
23 as new sources of power.

24 BOARD MEMBER PAPARIAN: Do you have an idea how
25 much that would cost?

1 BOARD MEMBER JONES: I have no idea, this just
2 came to me, you know.

3 BOARD MEMBER EATON: I think my understanding is
4 that, from the people who have been talking about it,
5 it's somewhere around 100, 150,000 because if it's
6 statewide, or if you're looking at public versus private
7 as to how extensive, I think you have, you'd have to go
8 too. But Mr. Jones, it would be good if you could, with
9 what we're doing with the white, the appliances and
10 stuff, if we look at that as perhaps an energy component
11 at the next allocation.

12 BOARD MEMBER JONES: Okay. Members?

13 BOARD MEMBER ROBERTI: I agree with Member
14 Medina that we ought to put in some money for the study
15 of minority communities in the waste stream. I think
16 that's, it could be very, very beneficial. And that's
17 one item that we didn't fund, and I see that we're over.

18 BOARD MEMBER MEDINA: I know this is an item
19 that we touched on at the briefing meeting last week,
20 Senator, as something that you've long supported, I would
21 not ask the full 75 for that, but something to get us
22 started.

23 BOARD MEMBER ROBERTI: Just to get us started.
24 How big? 20?

25 BOARD MEMBER MEDINA: 25.

1 BOARD MEMBER ROBERTI: 25. I think 25 is a
2 little low. Let's try 50, let's see how 50 works.

3 BOARD MEMBER JONES: Which number is it, number
4 65?

5 BOARD MEMBER ROBERTI: That's number 60.

6 BOARD MEMBER JONES: 60, okay. We've got, the
7 landfill operator training program was the one that I had
8 put in. It was the, we're actually starting our first
9 rounds of training -- and I promise you as soon as we get
10 done with this we'll break for lunch, is that reasonable?
11 Is that cool? Okay.

12 We are starting our training I think next month.
13 And we've got nine venues set up, and this funding will
14 be the second part of what was a three year program that
15 the Board had approved to continue to train operators in
16 both our state minimum standards and operating
17 technologies. So I'd like to see that stay in, which it
18 is in.

19 I would like to also see the \$50,000 for item 56
20 with the plastics people. I think that our 50,000 gets
21 leveraged ten times, and that's a good expenditure of
22 dollars. But that means something else doesn't get
23 funded, so --

24 BOARD MEMBER EATON: Well perhaps maybe, you
25 know, I've been involved with the green building C&D

1 stuff, and let me ask staff a question if they're
2 available.

3 We can continue the contract because really a
4 hundred thousand may or may not be sufficient for this
5 augmentation, is that correct? Is programmatic staff
6 here?

7 What I'm trying to do is if we're deferring
8 certain kinds of monies to the next reallocation, then
9 the issues that Mr. Jones spoke about with the methane
10 gas, perhaps some of my white goods and the green
11 building until May, if we can get, if the contract is
12 still valid then we don't need to augment it. If we need
13 the additional funds, just like you're saying, it's no
14 sense to allocate funds. Is that one that we could just
15 defer in the meantime to put more money in the pot?

16 And I'm willing to do that if we're not going to
17 endure any project, that's all I'm trying to get. And
18 obviously we'd get some consideration granted to us so
19 that the plastics and some of the others could get funded
20 this time.

21 MS. WOHL: Sure, Patty Wohl, waste prevention
22 and market development. You're correct, we have a
23 current contract in place, and I think staff was
24 originally looking for 100,000 on the idea that maybe
25 next year we would fund that and start a new contract, so

1 that's always possible to defer.

2 BOARD MEMBER EATON: So if we could just look at
3 the reallocation, and that frees up 40, and that would
4 help, I think, whomever; whether it be the study at the
5 waste stream and/or both, or the plastics and that kind
6 of thing.

7 So that, Mr. Jones, I think will get you up to
8 40,000. I don't know how much short you are, what we can
9 give up.

10 BOARD MEMBER PAPARIAN: Where we're at right
11 now, we have 41 on the compost we're not arguing about,
12 right? And then zero at this point --

13 BOARD MEMBER EATON: We don't argue, we discuss.

14 BOARD MEMBER PAPARIAN: Understood. Zero on the
15 green building technical assistance. And then where were
16 we --

17 BOARD MEMBER EATON: I gave that up.

18 BOARD MEMBER PAPARIAN: And where were we on the
19 landfill operator training?

20 BOARD MEMBER JONES: At 50.

21 BOARD MEMBER PAPARIAN: At 50. 75, and then 60
22 on the classrooms, and then --

23 BOARD MEMBER ROBERTI: Okay. Then minority
24 waste, let's try 37 five.

25 BOARD MEMBER MEDINA: Let's make it an even

1 forty.

2 BOARD MEMBER ROBERTI: An even 40, okay. So 40
3 there, and we're still basically even at that point with,
4 we've shifted basically the 40 from green buildings to
5 minority communities in the waste stream as I'm
6 understanding this.

7 BOARD MEMBER JONES: To that point that means
8 we're not funding the plastics recycling campaign. Do we
9 need 60,000 for this classroom emissions testing?

10 MR. ORR: Mr. Jones, we have discussed these
11 figures with the Department of Health Services and the
12 Air Resources Board, and it really is sort of the nominal
13 amount that we could do testing for. This is as little
14 as -- we need 60,000.

15 BOARD MEMBER ROBERTI: If staff could help me,
16 with every passing, the 98,000 for the office would
17 become increasingly smaller with every passing month, am
18 I right, or is it a --

19 MS. VILLA: It would be deferred until the next
20 fiscal year as each month goes by that we don't have a
21 location identified.

22 BOARD MEMBER ROBERTI: Right. So assume, assume
23 like the end of May we find a location and we're ready to
24 move in, we're not talking about 98,000, are we, at that
25 point?

1 MS. VILLA: If the actual moves occur in this
2 fiscal year then we are --

3 BOARD MEMBER ROBERTI: Okay.

4 MS. VILLA: -- those costs --

5 BOARD MEMBER ROBERTI: Okay. Those don't
6 include, I take it they don't include ongoing rent or --

7 MS. VILLA: No, those costs don't include any of
8 that.

9 BOARD MEMBER ROBERTI: Okay. Fine.

10 BOARD MEMBER PAPARIAN: Could I suggest on the
11 plastics that, you know, obviously you've heard some
12 skepticism from me, but I'd be willing to come back and
13 revisit this in May provided there were some discussions
14 between our staff and the DOC staff to make sure what
15 we're doing in plastics, we need coordination, it's
16 consistent with each other, and really leads us towards
17 maximizing recycling of plastics and using recycled
18 content in plastics.

19 BOARD MEMBER JONES: Well, I mean there's lots
20 of folks up here that have a vote. So we can do that.
21 My preference would be fund it today.

22 It's a, I remember watching DOC looking at us,
23 standing there scared to death that we were going to say
24 something that was going to embarrass them, because they
25 were embarrassed that they weren't part of this. And

1 this is a good program.

2 I mean we do compliance programs with people
3 that don't have RPPC because we want 'em in compliance,
4 you know, we want them using the stuff. And plastics is
5 a huge issue in this state, has been and, you know, when
6 we get \$500,000 worth of advertising, or \$500,000 of a
7 budget and we present 50,000 of that, and that translates
8 to three million, that's, the math works for me.

9 BOARD MEMBER PAPARIAN: My problem is when I add
10 up the numbers I don't see, I don't see the money there
11 today. I do see other worthy things, like the new river
12 cleanup, for example, is a worthy project as well.

13 But, you know, what I'm trying to do is offer a
14 way to move this item forward and still leave open the
15 possibility of doing something in the plastics area in a
16 couple months.

17 BOARD MEMBER EATON: The way that can happen is
18 basically everyone gives up a little bit, and that's
19 already been done. E waste, how about 25 off that? I
20 mean --

21 BOARD MEMBER JONES: I'll take some off of
22 landfill operator.

23 BOARD MEMBER EATON: I mean that's how you work
24 it, everyone gets a little shave here and there and you
25 work it.

1 BOARD MEMBER JONES: Right. I'll drop 20 off of
2 mine and go to \$30,000. But I'm looking for a nod.

3 BOARD MEMBER EATON: I hear 10, 10, 15 gets you
4 20 --

5 (LAUGHTER.)

6 BOARD MEMBER JONES: I think that's going to
7 work, I hope that's going to work. That's a program
8 we've had for three years.

9 BOARD MEMBER EATON: How much, Mr. Jones?

10 BOARD MEMBER JONES: Drop it down to \$30,000.

11 BOARD MEMBER PAPARIAN: Again, I'm not
12 comfortable moving forward until we get some discussions
13 with DOC on this item, on the plastics.

14 BOARD MEMBER JONES: Well, that's fair. I don't
15 have a problem with that.

16 BOARD MEMBER MEDINA: I'll knock five off the
17 study of the minority communities, with 35 we can at
18 least get off to a start.

19 BOARD MEMBER JONES: And I appreciate that, Mr.
20 Medina. I mean we have to put something together to get
21 four votes because, you know, I mean --

22 BOARD MEMBER ROBERTI: How much money are we at
23 now?

24 MS. VILLA: Right now by my calculations is you,
25 if you chose to put it all in the plastics, you'd have

1 25,000 towards the plastics.

2 BOARD MEMBER JONES: Okay. So can we go
3 through, okay. So we're going to hold off on, we're
4 going to say 41,000 on the odor management project,
5 correct, number 50?

6 MS. VILLA: That's what I have.

7 BOARD MEMBER JONES: We're going to hold off on
8 55.

9 61 has been dropped to 30.

10 51, is that staying at 75 or what?

11 BOARD MEMBER PAPARIAN: I hope so.

12 BOARD MEMBER JONES: A whole lot of that is
13 plastic. Go ahead.

14 BOARD MEMBER PAPARIAN: Yeah, no, there is a lot
15 of plastic in that waste stream.

16 BOARD MEMBER JONES: Is it staying at 75?

17 BOARD MEMBER PAPARIAN: I hope so.

18 BOARD MEMBER JONES: The portable classroom
19 thing at 60, is that staying there?

20 The minority communities, are we talking what?

21 BOARD MEMBER MEDINA: 35.

22 BOARD MEMBER JONES: 35.

23 I'm saying that I want to see 50,000 in the
24 plastics recycling campaign.

25 BOARD MEMBER EATON: By my math that's 30,000

1 short.

2 BOARD MEMBER JONES: To get them their 98?

3 BOARD MEMBER EATON: With what you mentioned so
4 far.

5 BOARD MEMBER JONES: Okay. So we're 30,000
6 short so far.

7 BOARD MEMBER EATON: You pick up 20 with you,
8 and if everyone you went through holes to, repairing
9 holes and doesn't give up on anything on his, and
10 portable classroom doesn't give up anything on that, Mr.
11 Medina gives up a little bit on his, that's 35, I can see
12 you're still 30 short.

13 BOARD MEMBER PAPARIAN: Again my suggestion
14 would be to even don't allocate that money at this point,
15 to try to work things out with the Department of
16 Conservation in the next couple of months, and come back
17 when we have a better idea of what some of the savings
18 are this year, and look at this item when we have the
19 best information available that we can get.

20 MS. JORDAN: You know, one of the things that we
21 might offer is that if we did choose to allocate money,
22 it could be held in abeyance until those discussions
23 occurred, and then just put the remainder, I believe at
24 the moment our calculations reflect about 73,000 towards
25 the costs or whatever else that you would choose.

1 BOARD MEMBER EATON: I think the issue really is
2 if everyone is willing to give up a little bit, then
3 everyone's project should give up a little bit, unless
4 there's an overriding consideration.

5 My understanding is that, with regard to the
6 move, there's an overriding consideration because it's
7 expenses, boom.

8 The classrooms, whatever, so that's what I'm
9 just trying to find out is where is the overriding
10 consideration? You got electronic waste yesterday funded
11 at 50,000, so isn't there a dovetail phase one and phase
12 two of a study that you can do with regard to --

13 BOARD MEMBER PAPARIAN: Two different items.
14 Yesterday was procurement, how to purchase, you know, the
15 best and most recyclable computers; this item is to look
16 at what we discussed earlier today which is the nature of
17 the problem in the waste stream.

18 BOARD MEMBER EATON: So do, so do basically give
19 25 up, and do phase one and phase two of your study.
20 It's fair, we're all giving up something here, Mr.
21 Paparian. I think that's fair. I ain't got anything but
22 I think that's how we should work it.

23 BOARD MEMBER PAPARIAN: But again, I don't think
24 the plastics item is ready to come before us. I don't
25 think we know what the DOC is up to. DOC obviously has

1 not stepped to the table, they have a pretty good source
2 of money available for this sort of thing, they haven't
3 stepped to the table. I'd like to know why they haven't
4 stepped up to the table on this item. I'd also like to
5 know what we can do to work together in partnership with
6 the DOC to maximize the recycling of plastics. And I
7 think we need that information before we go forward. I
8 think we're foolish to go forward without that
9 information.

10 BOARD MEMBER JONES: Do you want to make a
11 motion, make a motion on an allocation?

12 BOARD MEMBER PAPARIAN: All right. I'll make
13 the motion that we move forward funding item, as I
14 understand it.

15 Item 50 at 41,000.

16 Item 55 at zero.

17 Item 61 at 30,000.

18 Item 51 at 75,000.

19 Item 54 at 60,000.

20 Item 60 at 40,000.

21 And item 72 at 98,000.

22 BOARD MEMBER JONES: Is there a second?

23 BOARD MEMBER ROBERTI: I'll second.

24 BOARD MEMBER JONES: All right. We've got a
25 motion and a second. Could you call the roll?

1 COMMITTEE SECRETARY VILLA: Eaton.
2 BOARD MEMBER EATON: No.
3 BOARD SECRETARY VILLA: Jones.
4 BOARD MEMBER JONES: No.
5 BOARD SECRETARY VILLA: Medina.
6 BOARD MEMBER MEDINA: No.
7 BOARD SECRETARY VILLA: Paparian.
8 BOARD MEMBER PAPARIAN: Aye.
9 BOARD SECRETARY VILLA: Roberti.
10 BOARD MEMBER ROBERTI: Aye.
11 BOARD SECRETARY VILLA: Moulton-Patterson.
12 (NOT PRESENT.)
13 BOARD MEMBER JONES: What's the pleasure of the
14 Board? Do you want to continue this item after lunch?
15 Do you want to continue it to another Board meeting? Do
16 you want to take another shot at it?
17 BOARD MEMBER MEDINA: You did the last one, Mr.
18 Jones, would you take a crack at it?
19 BOARD MEMBER PAPARIAN: Again, I'm willing to
20 take a look at this plastics item, I just don't think
21 it's ready today. I think if we look at tweaking some of
22 these budgets, holding some of this back, having the
23 discussion with the Department of Conservation and coming
24 back at a future Board meeting when we know what's
25 possible in conjunction with the Department of

1 Conservation, and when we know more about what might be
2 available in IWMA, I think it would be a better time to
3 move forward.

4 BOARD MEMBER JONES: It's 12:30, I want to try
5 to get this -- go ahead, Senator Roberti.

6 BOARD MEMBER ROBERTI: I'm not going to be here
7 for the afternoon session. And I thought my jewels of
8 wisdom were recorded during the briefing, but I'm told
9 that our briefings don't count as direction to the staff
10 even though, you know, you've got sort of four acquiescent
11 members.

12 So for the record I just want to say to the
13 permitting staff here that, and they've heard this from
14 me more than once, I'm not trying to bash them, but this
15 is sort of my portion of the directive concerning items
16 that came up on environmental justice on the audit; and
17 because the briefings aren't considered directives,
18 although this is my input to a directive hopefully.

19 What we need on environmental justice is
20 something more than mapping. And in past conversations I
21 did not want to have the impression given that we were
22 just discussing mapping, but rather a complete analysis
23 which deals with state, local and private sites, be it
24 problems of voter transportation; appearance and health
25 problems as relates to poor and minority areas;

1 instances of inadequate and weak notice; employment
2 conditions at the sites; and as they regard not only to
3 employment, but to health and safety records as well; a
4 thorough history of how various sites were located or
5 sited; how proposals of mitigation have taken place;
6 what kind of input there has been from communities on a
7 mitigation; how successful the mitigation has been; and
8 what beneficial uses have been, have taken the place of
9 many new locations where waste management facilities have
10 been in operation; beneficial uses that have, we're down
11 to the benefits that specifically have affected
12 communities as well as to either special interests or the
13 general community.

14 And I would like a report back as to the
15 feasibility of having independent contracting on this
16 matter. Not trying to castigate our staff who I think
17 are very diligent and doing a good job; but one of the
18 problems we have on this Board is the lack of minority
19 participation. Who are the people who would best know
20 the effects of environmental justice?

21 So I would like some proposals brought back to
22 us as to what we can do for an independent outlook on
23 this with full consideration that anything we might do
24 would be put out to a full public, publicly noticed
25 bidding process.

1 And I'm once again saying not bad for staff
2 because I've gone through this before, but my remarks at
3 the briefing I'm told were not recorded and would not be
4 part of the directive, so one more time we say it.

5 CHIEF DEPUTY DIRECTOR FISH: So Senator, as I
6 understand your direction --

7 BOARD MEMBER ROBERTI: My input to the
8 direction.

9 CHIEF DEPUTY DIRECTOR FISH: Exactly. That
10 you're looking for a report to come back that is a
11 comprehensive review of all those things that you
12 mentioned --

13 BOARD MEMBER ROBERTI: Right.

14 CHIEF DEPUTY DIRECTOR FISH: -- or a study on
15 the feasibility of compiling that data?

16 BOARD MEMBER ROBERTI: Yes. Well frankly what
17 we have right now I would like to know, but I would also
18 like to know the study on the feasibility of compiling
19 that.

20 CHIEF DEPUTY DIRECTOR FISH: Yes. And you would
21 like to see a study on the feasibility of compiling that
22 information at the next meeting?

23 BOARD MEMBER ROBERTI: If we can, yeah, I'd love
24 to see it at the Glendale meeting, if it's possible.

25 CHIEF DEPUTY DIRECTOR FISH: I'm not sure with

1 the tight timeframes we have for March if --

2 BOARD MEMBER ROBERTI: If you can't do it in
3 March, which is where my preference would be, then April,
4 of course, would be --

5 CHIEF DEPUTY DIRECTOR FISH: So a study on the
6 feasibility of compiling all the information or using an
7 external consultant to do that?

8 BOARD MEMBER ROBERTI: Yes.

9 CHIEF DEPUTY DIRECTOR FISH: And possibly some
10 costs associated?

11 BOARD MEMBER ROBERTI: Yes.

12 CHIEF DEPUTY DIRECTOR FISH: In April?

13 BOARD MEMBER ROBERTI: Okay, fine. Thank you.

14 BOARD MEMBER JONES: Senator, and that direction
15 is going to be part of, you've got us at a little bit of
16 a disadvantage, you know, you put that out and then
17 you're going to leave, and I don't want to do anything
18 not to honor what you're asking.

19 BOARD MEMBER ROBERTI: And I'm sorry about that.

20 BOARD MEMBER JONES: But I don't want to be, you
21 know, I just want to make sure that it's a fair playing
22 field.

23 BOARD MEMBER ROBERTI: Absolutely. I'm not
24 trying, I'm not trying to ask the Board to commit right
25 now to anything, I'm asking for --

1 BOARD MEMBER JONES: The feasibility of it and
2 the criteria of what it would look like.

3 BOARD MEMBER ROBERTI: The criteria of what it
4 would look like so we can make an intelligent decision.

5 BOARD MEMBER JONES: And I don't have any
6 problem with that.

7 BOARD MEMBER ROBERTI: And I don't think you
8 have a problem with that.

9 BOARD MEMBER JONES: I didn't before. Remember
10 when you brought it up the first time --

11 BOARD MEMBER ROBERTI: Right.

12 BOARD MEMBER JONES: -- I said I have no problem
13 with that as long as we include a full picture.

14 BOARD MEMBER ROBERTI: Absolutely.

15 BOARD MEMBER JONES: And the full picture is
16 what's --

17 BOARD MEMBER ROBERTI: And I don't want the
18 case, I don't want the case prejudiced ahead of time as
19 to where these facilities have been put.

20 There are instances where the facilities have
21 been put in in very wealthy areas, the Hyperion plant in
22 Los Angeles is one of the most well known processing
23 plants.

24 BOARD MEMBER JONES: Go to 650 Broadway North
25 Beach.

1 BOARD MEMBER ROBERTI: There was the Playa Del
2 Rey which no longer exists between the Hyperion and the
3 L.A. airport, you know, nobody lives there anymore.

4 BOARD MEMBER JONES: Right.

5 BOARD MEMBER ROBERTI: So, you know, I don't
6 want to prejudice the case. But I do think that if we do
7 study it in any depth, it's reasonable to believe that
8 the study is going to say that, generally speaking,
9 poorer and/or minority areas are no longer the ones that
10 are most impacted.

11 BOARD MEMBER JONES: Right. But remember the
12 audit said that it wasn't people of color nor, it was
13 just people that were poorer.

14 BOARD MEMBER ROBERTI: Well that's important
15 too.

16 BOARD MEMBER JONES: But remember that's proper,
17 that's housing that is adjacent to industrial zoning.

18 BOARD MEMBER ROBERTI: We've got to know that.
19 And I know about the Yolinda landfill, I mean they're
20 rushing to build beautiful homes right next to the
21 landfill.

22 BOARD MEMBER JONES: And that's fair.

23 BOARD MEMBER ROBERTI: So yes, I understand that
24 and I think motivation should be part of this. You know,
25 did the community build up after the landfill or before

1 the landfill? I think everything --

2 BOARD MEMBER JONES: Right. Go look at Covina,
3 right, West Covina, put it right up to the toe of BKK.

4 So we are going to have a discussion after lunch
5 about the audit and we have to give direction.

6 BOARD MEMBER ROBERTI: Yes, absolutely. And I'm
7 sorry I won't be here, and that's why I wanted to put it
8 on the record. And I didn't want to badger anybody, but
9 because it wasn't technically on record again I felt I
10 had to do it again, because I'm looking for an objective
11 study, no prejudgements, as you are.

12 BOARD MEMBER JONES: Absolutely. And that will
13 work. Thanks, senator.

14 Let's try one more cut at this giving money
15 away.

16 Mr. Eaton.

17 BOARD MEMBER EATON: I'll make a, I'll make a
18 cut that we fund item 50 at 41,000.

19 We, Mr. Jones what was your 61, 35?

20 BOARD MEMBER JONES: 30.

21 BOARD MEMBER EATON: 30?

22 BOARD MEMBER JONES: Yes, sir.

23 BOARD MEMBER EATON: That we fund that at 30.

24 That we fund item number 51 at 60,000.

25 That we fund the portable classrooms, 54, at 50.

1 Where are we at with the minority communities
2 and waste stream, was that?

3 BOARD MEMBER JONES: 35, I think.

4 BOARD MEMBER EATON: 35, fund item number 68 at
5 35.

6 Plastics at 40,000.

7 And then the unfunded costs of 98, and that gets
8 us to what amount?

9 MS. VILLA: That gets us to 364.

10 BOARD MEMBER EATON: Amazing what math.

11 BOARD MEMBER MEDINA: Second.

12 BOARD MEMBER EATON: All right.

13 BOARD MEMBER JONES: Discuss it?

14 BOARD MEMBER PAPARIAN: Again, I think it's
15 embarrassing to move forward on this plastics item, it's
16 a month after we did the DOC report talking about our
17 overlaps with DOC without some coordination on an item
18 like this.

19 You know, it's, you know, potentially can be
20 doubly embarrassing if we give this money out and it
21 seemingly benefits a single supermarket chain.

22 You know, I've got a high level of discomfort
23 moving forward this month on this item. I'm willing to
24 come back and talk about it a different month, but I
25 think it's not, it's not good policy to move forward

1 today on it.

2 BOARD MEMBER EATON: And I think we ought to
3 today fund the rebate program for the Governor's as well,
4 but I mean that's not the atmosphere that we work in.

5 If that's the case then I'd rather set that
6 forward, let's fund that rebate PUC, and then something
7 that -- but we're just trying to make something happen.

8 There's a motion, I believe, and a second.

9 BOARD MEMBER JONES: There's a motion and a
10 second.

11 Would you call the roll?

12 COMMITTEE SECRETARY VILLA: Eaton.

13 BOARD MEMBER EATON: Aye.

14 BOARD SECRETARY VILLA: Jones.

15 BOARD MEMBER JONES: Aye.

16 BOARD SECRETARY VILLA: Medina.

17 BOARD MEMBER MEDINA: Aye.

18 BOARD SECRETARY VILLA: Paparian.

19 BOARD MEMBER PAPARIAN: No.

20 BOARD SECRETARY VILLA: Roberti.

21 BOARD MEMBER ROBERTI: Aye.

22 BOARD MEMBER JONES: We have four votes to
23 approve. We are going to take a, what is the pleasure of
24 the Board, it's 12:30, come back at 2:00 or 1:30? 2:00
25 o'clock.

1 We'll, we will convene -- we are going to break

2 for lunch, we'll be back at 2:00 o'clock. Thank you.

3 Thanks, Senator.

4 (Thereupon the luncheon recess was taken.)

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1 AFTERNOON SESSION

2 --oOo--

3 BOARD MEMBER JONES: We're going to come back to
4 order. Mr. Eaton, any ex-parte?

5 BOARD MEMBER EATON: Just a brief conversation
6 with John Cupps regarding the Department of Parks and Rec
7 and recycling activity on their behalf, or the lack
8 thereof.

9 BOARD MEMBER JONES: Mr. Medina.

10 BOARD MEMBER MEDINA: Paul Harkin, Building,
11 Chief Administrative Officer of San Francisco, and Paul
12 orcher, head of the solid waste program in regards to
13 their solid waste program.

14 BOARD MEMBER JONES: Mr. Paparian.

15 BOARD MEMBER PAPARIAN: None.

16 BOARD MEMBER JONES: And I had two, one with
17 John Cupps on the, a contract that went out for the
18 parks, same issue as Mr. Eaton, that didn't have a
19 recycling component in it, good old AB 75; and with Larry
20 Sweetser. And I think that's it.

21 Oh, and with the diversion study guide group
22 that are meeting from 1:00 o'clock to 4:00 o'clock
23 upstairs on helping us get through the last phase of the
24 diversion activity with new base year, the new base year
25 cert forms.

1 BOARD MEMBER MEDINA: One more just in passing,
2 meet and greet with Manuel Alvarez with Southern
3 California Edison.

4 BOARD MEMBER JONES: Thank you, Mr. Medina. We
5 are going to get, we are doing 29 but we're going to do
6 number 20 real quickly because it is a, an agenda item to
7 consider the approval of the scope of work for annual
8 newsprint quality standard testing laboratory services,
9 concept number 53.

10 And staff probably is not here. The scope of
11 work includes if a contractor's going to comply with
12 TAPPI testing criteria, pre conditions, and conditions,
13 while RCN sampling according to the TAPPI standard T 402.
14 They're going to do the test sample for us; and after
15 each test the remaining sample should be kept in a
16 controlled environment ready for retesting; to report
17 results to the Board in the matter in which the timeframe
18 was established.

19 It was concept number 53.

20 BOARD MEMBER PAPARIAN: I'll move the Resolution
21 2001-50, Approval of Scope of Work for Annual Newsprint
22 Quality Standards.

23 BOARD MEMBER JONES: Thank you, Mr. Paparian, do
24 I have a second?

25 BOARD MEMBER MEDINA: I second.

1 BOARD MEMBER JONES: We have a motion by Mr.
2 Paparian to adopt Resolution 2001-50, and a second from
3 Mr. Medina.
4 Any questions?
5 Could you call the roll, please?
6 ADMINISTRATIVE ASSISTANT MCKEE: Bear with me.
7 Eaton.
8 BOARD MEMBER EATON: Aye.
9 ADMINISTRATIVE ASSISTANT MCKEE: Jones.
10 BOARD MEMBER JONES: Aye.
11 ADMINISTRATIVE ASSISTANT MCKEE: Medina.
12 BOARD MEMBER MEDINA: Aye.
13 ADMINISTRATIVE ASSISTANT MCKEE: Paparian.
14 BOARD MEMBER PAPARIAN: Aye.
15 ADMINISTRATIVE ASSISTANT MCKEE: Roberti.
16 (NOT PRESENT.)
17 ADMINISTRATIVE ASSISTANT MCKEE: Moulton-
18 Patterson.
19 (NOT PRESENT.)
20 BOARD MEMBER JONES: The resolution passes with
21 a unanimous vote of those who were here.
22 We will now move onto item number 29, the audit.
23 MS. NAUMAN: Good afternoon, Board members.
24 Julie Nauman, Permitting and Enforcement Division.
25 Item 29 is discussion of Bureau of State Audits

1 Report entitled "California Integrated Waste Management
2 Board Limited Authority and Weak Oversight Diminishes its
3 Ability to Protect Public Health and the Environment."

4 The purpose of this item, Board members, is to
5 seek your direction on the content of the sixty day
6 report that is required by the author.

7 As you may recall, the audit was released in
8 early December with the sixty day report which would have
9 normally been required to be submitted by the 11th of
10 February, and we did ask and receive an extension on that
11 date to March 1st.

12 What we have provided for you in your agenda
13 item is attachment one which reviews each of the
14 recommendations contained in the audit report; actions to
15 date, cause the Board has talked about some of these
16 recommendations at the previous meeting; and then staff's
17 suggested approach to continued discussion and decisions
18 on those specific recommendations.

19 Behind, I guess it's pages, on page five what
20 we've done is provide a summary by month so that you can
21 see what activities we're suggesting you undertake on a
22 month by month basis, beginning at this meeting and
23 ending in December. Also indicating the preparation of
24 the six month report due in June, and the one year report
25 due in December.

1 So what I would hope to get from our discussion
2 today is your direction on whether or not you're
3 comfortable with the proposed actions by the months we've
4 suggested.

5 What we're suggesting, briefly, in each case is
6 a Board discussion and then a Board decision, usually a
7 month or two after the initial discussion to give your
8 staff time to prepare an action item for you, and then
9 for each of them kind of ongoing reports back on actions
10 that staff take pursuant to your direction.

11 BOARD MEMBER EATON: I have a question. Has
12 there been any preliminary analysis of the cost for any
13 of the recommendations and the implementation thereof?
14 For instance, a lot of it calls for certain studies. And
15 what we have, and the reason why I wanted to be able to
16 at least go on record, and I don't know how this is going
17 to be transmitted to the Auditor, but I think in some
18 cases some of this can be costly depending upon what our
19 budget happens to be, and whether or not we're going to
20 have to submit BCP's for any of this for additional kinds
21 of work.

22 And I just think that however it's going to be
23 transmitted, that some mention of the fact that, you
24 know, whatever the Board may agree to or forward to the
25 Auditor has to be based upon the availability of funds in

1 some of these as well as any BCP's; because some of these
2 are, I think we will complete them all, but maybe, you
3 know, timeframe, and I think if you say at the beginning,
4 and so we have no idea whether this is a \$30 million
5 overhaul, \$5 million overhaul or just, you know.

6 MS. NAUMAN: No, we haven't done that analysis
7 yet. And again we're we expecting that at subsequent
8 months the Board will actually consider whether or not
9 they accept the recommendation and implement. You may
10 choose not to implement some of the recommendations.

11 But it's a very important point, and as we come
12 forward with each of the recommendations for your review,
13 we'll take a look at that and be able to provide you some
14 information on our best guess as to what it would cost.

15 CHIEF DEPUTY DIRECTOR FISH: Excuse me. I would
16 also like the Board to be aware of the fact that we were
17 approached by the Legislative Analyst's Office, and Mr.
18 Newton, our analyst, would like to sit down and meet with
19 us regarding this report.

20 And so we are going to be having that meeting
21 next week, and we will report back to you on any of his
22 guidance or suggestions.

23 BOARD MEMBER JONES: Okay. Any other comments
24 up here?

25 BOARD MEMBER PAPARIAN: Yeah, a couple

1 comments. In terms of our report back to the Auditor,
2 I'd like to actually see a little more detail about what
3 we're planning to do, not just when we're planning to
4 discuss an item, but what some of the material is going
5 to be, what material is going to be prepared for that
6 item, or what we might be doing in conjunction with that
7 item.

8 For example, on, I'll just look at the first one
9 related to, taking into account the necessity for
10 increased landfill capacity is a factor in granting
11 permits. We have May, 2001 Board meeting discussion;
12 June, 2001 Board decision on appropriate actions.

13 In terms of the Board meeting discussion I'd
14 like to, you know, flesh that out a little bit. Staff
15 will prepare, you know, some information on the existing
16 capacity in the state, I know we have that information;
17 and develop a set of options for the Board discussion;
18 and then go through each of the items and lay out a
19 little more about what's, you know, expected to take
20 place at some of the steps along the way.

21 One of the concerns that I have, we had an LEA
22 discussion yesterday, and that LEA discussion I think was
23 referenced in this chart as one of the things in response
24 to the LEA item.

25 I was somewhat dissatisfied with the end of that

1 item in that we discussed the item, we had some
2 interesting back and forth, and there's no, I don't know
3 where it's going. I don't know if staff has any sense
4 about what the Board as a whole feels about the item we
5 discussed yesterday on LEAs. Again, it was an
6 interesting discussion but, you know, what does that
7 mean?

8 The other thing that I had was just a question.
9 And that is that I noticed on the item related to the
10 item number six, page 29-4, discontinue the use of its
11 1990 enforcement policy, blah, blah, blah. It says in
12 February, 2001, there's a work group meeting to develop
13 options to address issues in the policy.

14 MS. NAUMAN: That's correct. The work group has
15 been meeting, there have been several meetings of
16 stakeholder groups. And on, I believe it's the 27th of
17 this month, we're pulling all of those stakeholder groups
18 together for a larger meeting to develop options that
19 we'll bring forward as an agenda item in March.

20 And that date was just really locked down
21 earlier this week. It had floated a little bit because
22 we were also trying to schedule an internal stakeholders
23 meeting for the strategic plan. But the date now is
24 February 27th, and it should be on the Board calendar by
25 now.

1 And that's an opportunity for the stakeholders
2 to come together in a forum to discuss what they have
3 been discussing individually, and for staff then to, from
4 there prepare options that we'll be bringing forward,
5 hopefully for your decision, direction; but that will
6 occur in March.

7 BOARD MEMBER PAPARIAN: Are the stakeholder
8 groups then the constituency groups?

9 MS. NAUMAN: I believe, I don't know if Mary
10 Coyle is here. Yes, I think that they had some industry
11 groups, they had some LEAs meeting, and separately,
12 because the group is fairly large, and they were talking
13 from those perspectives. And this is an effort to bring
14 all of them together to compare and contrast ideas.

15 BOARD MEMBER PAPARIAN: Is there a public and
16 environmental group amongst them?

17 MS. NAUMAN: I believe there are. I don't have
18 the list with me, I'll provide that list to all your
19 offices, and if you see any stakeholders missing, please
20 indicate that to us, we want to be as inclusive as
21 possible.

22 So you can see that's the plan for that
23 particular one where we'll bring a consideration item to
24 you in March, and then that direction that you give us
25 would then be reflected in the sixty day report due in

1 June.

2 So it's really kind of a building process. And
3 I appreciate your comment earlier about trying to give a
4 little more detail at the front end.

5 I was also following the lead and the suggestion
6 from the Auditors, because we discussed with them what
7 their expectations are for this initial report. And they
8 provided some examples to us.

9 And also they indicated at this point they're
10 just looking for a very broad brush sense of how you're
11 going to approach it, kind of when you're going to talk
12 about it, and kind of in what sequence, and who's going
13 to be kind of in charge of that item. So it's kind of a
14 when and what type of discussion.

15 So to the extent that we can between now and
16 March 1st when this is due and when we have a review
17 process, we'll try and plug in as much specific as we
18 can. But I think there will be much more detail in the
19 sixty day report.

20 BOARD MEMBER PAPARIAN: Okay.

21 BOARD MEMBER JONES: Any others? I'd like to
22 respond to just a couple things. We do have a speaker,
23 and then there are actually three speaker slips and I'll
24 call the names, but I think they were folks who were here
25 yesterday who wanted it entered into the record.

1 The, I like the idea of the broad discussion
2 because, like our regulatory package that we put forward
3 on transfer station regs the other night, that we
4 included lawn clippings, the results of that has meant
5 that I have had three phone calls from three pretty,
6 pretty up-front operators; Mario Borghettelo in Santa
7 Barbara -- anybody ever been to his facility? Probably
8 one of the most incredible facilities in that part of the
9 state, gets Santa Barbara county to their diversion goal.

10 He has a clause in his franchise agreement that
11 says he cannot build and operate a transfer station, or
12 he will be in violation of his franchise agreement.

13 So I, you know, he, as a result of adding grass
14 clippings we are going to, he is going to be faced with
15 trying to figure out how to comply with our new
16 regulations and not be in, be out of his franchise in
17 terms and conditions.

18 I got a call from somebody in Ventura County,
19 another operator who operates a very large facility who
20 also is now stuck with having to go into transfer station
21 regs, or discontinue yard waste cleanup, reasonable.

22 So, you know, maybe we need to track how much of
23 this material that needs to get picked up and recycled
24 now ends up in landfills.

25 You know, I think we have to have discussion,

1 and I think discussion is good. And the majority rules,
2 and I absolutely believe in that, but there are
3 consequences.

4 If this reg package goes forward, and those
5 facilities have to go through CEQA, have to go through
6 all those things, that was what the pet policy was for
7 was to set up a notice and order system of checks and
8 balances so that while they were trying to create, comply
9 with one set of rules, they weren't going to be shut down
10 from their operation.

11 So I think that it, the broader the discussion
12 the better. Because then all these issues can come
13 forward and people can look at what the impact is.

14 Because we may have inadvertently directed yard
15 waste to landfills as opposed to composting facilities.
16 And I know that was not the intent. But that may be the
17 end result. So I think we need to have discussion.

18 When we talk about landfill capacity as an
19 issue, to make that narrowly focused or focused on
20 certain issues, one thing that has never been discussed
21 at this Board I don't think on that issue in the couple
22 of discussions we've had, we've all talked about the
23 process and we've seen the process, but the issue that's
24 never come forward is when you're going to invest twenty,
25 thirty, forty million dollars, and I will talk to you

1 from somebody that lost eight million; when you're going
2 to invest \$20 million on the front end, and when you see
3 to go through that project you still have one more body
4 that can ultimately say no based on whatever criteria,
5 who is going to invest in the infrastructure in the State
6 of California? I don't know of anybody that would. But
7 I know of a lot of people that would invest in building
8 transfer stations to all the stuff to other states.

9 But I think that's part of the discussion.
10 That's part of the information that's got to be exchanged
11 because it was clearly not part of the audit report, and
12 the impacts of those things. Because I don't think we
13 want another, I don't think we want to impact the
14 infrastructure in California in the same way that the
15 energy deregulation has impacted the State of
16 California. But yet, we could be heading down that road.

17 So I think we have to have a pretty open
18 discussion with broadly, with broad descriptions
19 personally so we don't limit ourselves from a fuller
20 discussion.

21 BOARD MEMBER PAPARIAN: I agree with you that we
22 need a full open and frank discussion. I don't want to
23 get into the merits of these items here, but let me
24 mention one thing on this need issue. When I first came
25 on the Board the only information I got about the

1 statewide capacity that's out there right now for
2 statewide landfill capacity was from a private
3 consultant who I think we all know, and he's got some
4 very interesting charts about statewide landfill
5 capacity.

6 BOARD MEMBER JONES: Oh, Evan?

7 BOARD MEMBER PAPARIAN: Evan, yeah. It's
8 intriguing information, yet I don't have anything to
9 balance that with from our own Board. We don't have
10 something that shows the statewide landfill capacity from
11 our own Board.

12 BOARD MEMBER JONES: Right.

13 BOARD MEMBER PAPARIAN: Regardless of whether
14 you want to do anything in terms of taking the next leap,
15 which would be to apply that information in some way to
16 permitting, just having that basic information I would
17 think would be something we could all agree on.

18 BOARD MEMBER JONES: That I'll agree with, then
19 we have to get back to Mr. Eaton's thing of put a price
20 tag on it. Because as we talked a little bit about
21 landfill capacity, landfill capacity can get, legally be
22 described, and I'm not going to say three but it may be
23 four, because it's going to be what's permitted?

24 What's the permitting capacity in the five year
25 window? So it would be four.

1 What's the permitting capacity for the entire
2 footprint considering that they would get continual five
3 year reviews, even staying at the same rate with no
4 changes?

5 And then, what's the property that they own that
6 they could potentially expand after they go through the
7 process?

8 So the problem for staff, and for me because I
9 sat on the panel here at this Board when I was in the
10 industry the first time they tackled this issue, and I
11 don't remember when it was, I think it was like '91 or
12 '92, and those were, the issues haven't changed.

13 Because there's, it's how do you want to create
14 the box? You know what I mean. And then how much of it
15 is subjective? Is it what's permitted? What could be
16 permitted? What you have the ability to permit? And all
17 those things change how much capacity is available.

18 BOARD MEMBER PAPARIAN: Right. That's why you
19 have some explanation as you prepare these things.

20 BOARD MEMBER JONES: Right.

21 BOARD MEMBER PAPARIAN: Just because there's
22 variables going into the calculation doesn't mean you
23 don't make the calculation.

24 BOARD MEMBER JONES: Well, I'd agree with that
25 to the point as long as to get to that calculation it

1 didn't cost us half of our treasury.

2 BOARD MEMBER PAPARIAN: I agree. I wouldn't
3 want half our treasury going into this.

4 BOARD MEMBER JONES: Right.

5 BOARD MEMBER PAPARIAN: And I don't think it
6 would take that, I think we've got a lot of the basic
7 information, it's a matter of just putting it --

8 BOARD MEMBER JONES: All right. That's good.
9 See, I don't have a problem with having that kind of a
10 discussion as part of a broad, loose, definitive thing.

11 Anyway, we have -- anybody else? Nobody else
12 wants to join into this.

13 BOARD MEMBER EATON: You mean on capacity? I'm
14 not sure about capacity after three days you want me, to
15 invite me I'll talk. People come to see us, we might as
16 well give them a show. Just kidding. Just kidding.

17 BOARD MEMBER PAPARIAN: We already did that.

18 BOARD MEMBER EATON: Yeah. The capacity issue
19 really is one that, you know, as you look at studies and
20 stuff like that, the real issues are right before us in,
21 you know, I don't have a problem looking at capacity
22 issues but, you know.

23 Southern California which is really the
24 problematic area, there's regional shortages. So does
25 capacity, if you say that there's a hundred million tons

1 worth of capacity and we have enough, can those smaller
2 rural counties get their waste to those areas that have
3 the capacity.

4 You know, Puente Hills is coming up, you know.
5 They're going to want to extend their receiving of waste,
6 yet we have a number of different facilities in and
7 around the L.A. area and they even, the San District owns
8 the largest capacity or is almost about to own the
9 largest capacity.

10 So how we integrate those and move our programs
11 into the capacity that's already there existing is really
12 the key as opposed to try to get lost in an area as to
13 what constitutes how much or enough capacity.

14 And I think that that's really what we have to
15 look at in private versus public. So I think those are
16 tough issues, and those are issues that I don't think we,
17 the Auditor's report even took into consideration because
18 I think there was a lack of understanding on the part of
19 the Auditor's office and, you know, as to what really was
20 taking place.

21 And the audit was really generated as a result
22 of political motivation, which is not surprising, and I
23 welcome that, you know. I've done these audits myself,
24 and asked for 'em myself.

25 But what we've always been able to do is be fair

1 about capacity issues. And what you have to look at is
2 regional as well as statewide issues, because for the
3 same reason we can't have composting be successful in
4 large urban areas in the southern part of the state is
5 because the transportation costs are so prohibitive.

6 The same could be said that even though we have
7 large capacity overall, we cannot transport waste from
8 one area to another.

9 What's really interesting, however, is those who
10 are able to export waste out of our state and do it at a
11 rate. So that's another issue that, you know, you wonder
12 why we're not looking at.

13 And so it is a complicated issue, but there are
14 bounds by which the Auditor's report misses, really
15 misses the mark, and really should have been
16 concentrating on what we need to do to ensure that waste
17 moves into those facilities that are open right now and
18 are desirous of seeking more business.

19 BOARD MEMBER JONES: I would agree. Every
20 article that I have read, and I've read plenty, and by
21 saying that the Board generally concurs in our, you know,
22 our response that went to the Auditor with the original,
23 without Board input always is referred to as the Board
24 generally concurs with the Auditor's report. I mean I
25 can show you every one of these little articles.

1 And just for the record, I don't. I mean I
2 agree with a lot of 'em, but I don't.

3 And I'm going to let people speak here real
4 quick. But I think Mr., I mean part of what I heard was
5 there's political motivation for everything, and clearly
6 there was political motivation behind this.

7 I would like to know when the discussion is
8 going to be on the LEA, I mean on our inspections.
9 Because we have, I know we have, we have up to eighteen
10 months to inspect, but I'd like to see that come forward
11 so maybe we can change that to twelve to eighteen months,
12 so that we're always under the, we're always under the
13 cap rather than pushing the cap.

14 MS. NAUMAN: To answer your question directly,
15 we have that scheduled for the April Board meeting.

16 BOARD MEMBER JONES: Say it again, I'm sorry?

17 MS. NAUMAN: We have it scheduled for the April
18 Board meeting.

19 BOARD MEMBER JONES: Okay. Good. And Senator
20 Roberti's direction today on setting up the criteria for
21 the environmental justice issues and zoning issues and
22 all that, he had directed staff and, to at least come up
23 with the criteria and some kind of a, you know, what we
24 could discuss on what this might look like; I think that
25 needs to be included in this, but I don't know whether

1 it's for the April meeting, because they said they
2 couldn't get the March?

3 BOARD MEMBER PAPARIAN: When is that item coming
4 up in here?

5 BOARD MEMBER JONES: Huh?

6 BOARD MEMBER PAPARIAN: When is that item coming
7 up in here?

8 MS. NAUMAN: The environmental justice issue is
9 reflected in number three and number four, and we've got
10 a report back to you in March when we're going to review
11 both the policy side of what we've been doing with the
12 Cal EPA effort, as well as some internal work we've been
13 doing on mapping and data collection. And that was due,
14 that's planned for March.

15 The discussion this morning, and Karen indicated
16 that we would be back in April with a response to the
17 Senator's request. So it would probably look like if you
18 wanted to undertake this study, here's what it would look
19 like; here's an approximate cost; here's what we could
20 do, some or all or any of it in-house versus having to go
21 out to bid.

22 So I haven't had a lot of time to think about
23 it, but I'm envisioning some kind of general approach as
24 to how you would study those issues.

25 BOARD MEMBER JONES: That was for April?

1 MS. NAUMAN: April.

2 BOARD MEMBER JONES: And I thought, but I didn't
3 want to say April because I wasn't sure. But then
4 shouldn't that, doesn't that belong in here as one of the
5 things we need to include?

6 BOARD MEMBER PAPARIAN: I would think so. I
7 think it relates to some of the items that were in the
8 audit report.

9 BOARD MEMBER JONES: Right. You know, maybe
10 just whatever you need to do, a couple of lines, so that
11 gets included.

12 MS. NAUMAN: Yeah.

13 BOARD MEMBER JONES: So we're dealing with the
14 criteria.

15 BOARD MEMBER PAPARIAN: And again that gets back
16 to what I was saying in the beginning, let's fill out,
17 staff is going to prepare some material and information
18 on this, and have it for discussion at the April meeting,
19 spell out what that information is and put it in the
20 response.

21 MS. NAUMAN: We'll put in as much detail as we
22 know at this point.

23 BOARD MEMBER JONES: We do have a public
24 speaker. I've got a couple other issues but I'll wait.
25 Larry Sweetser. As he is coming down I want to just say

1 that -- Nicole Wilkin? No, I think she was --

2 BOARD SECRETARY VILLA: Mr. Jones, those
3 speakers left yesterday, but they would from Nicole
4 Wilkin, Ann Ziliak, and Kim Thompson.

5 BOARD MEMBER JONES: Gotcha. All right, go
6 ahead, Mr. Sweetser.

7 MR. SWEETSER: Good afternoon, Board members.
8 My name is Larry Sweetser on behalf of the Environmental
9 Services Joint Powers Authority. And I did want to
10 congratulate the Board and staff on their overall
11 response to the audit.

12 I'm not going to go into details of concerns,
13 but in general I think it's reassuring to have that
14 timeline in there, it's not just a knee jerk reaction,
15 there's a thought put into it of having a schedule,
16 having Board meetings, allowing public input through the
17 process, scheduling the work groups to talk about these
18 items.

19 A lot of them are very complex, as you've been
20 finding out. And allowing that sort of measured response
21 I think is very helpful to all parties concerned.

22 There is one suggestion I would like to make on
23 number 16 actually, something we noticed late yesterday
24 in terms of what the Department of Finance asked for, and
25 then the response there might be able to be shaped a

1 little bit in terms of the last sentence of it as far as
2 seeking concurrence from the legislature as to whether
3 the approach meets the overall intent of the mandate.

4 We weren't quite sure whether the, just revising
5 of the diversion rate study actually would cover some of
6 that. I think there's been a lot of good work done by
7 the Board to meet the intent of all the mandates, and
8 maybe not, just simply a revision to that would probably
9 suffice, would be maybe a helpful suggestion.

10 BOARD MEMBER PAPARIAN: I think what you're
11 reading from is the Leg Analyst's -- or excuse me, the
12 Auditor's recommendation.

13 MS. NAUMAN: That's their language.

14 MR. SWEETSER: Right, that's their
15 recommendation is to seek concurrence from the
16 legislature as to whether the approach meets the original
17 intent of the mandate. And the October, 2001, on the far
18 column, as far as, well you're convening work groups and
19 also just suggesting improvements to the disposal, the
20 diversion rate measurement system, may be something a
21 little more than addressing the overall intent.

22 BOARD MEMBER PAPARIAN: So add to that?

23 MR. SWEETSER: Add to that. Because I think
24 it's a good opportunity to talk about all the things that
25 have to get done to meet the intent, not just revision of

1 the diversion system.

2 BOARD MEMBER PAPARIAN: Okay. I got it.

3 MR. SWEETSER: And lastly, a number of our
4 counties have been working hard in putting resolutions in
5 support of a number of the concepts we had in our letter
6 earlier; those won't be here in time for March 1st, but
7 they will be forwarded on to the Board and the Department
8 of Finance echoing some of the suggestions we had before,
9 but primarily it's supporting the local control aspects,
10 and also the programmatic approach to AB 939, there's a
11 lot of support for that.

12 And also some suggestions on the financial
13 assurance ability for closing some of the old sites out
14 there, maybe either expanding or bringing forward or
15 redeveloping the facility compliance and loan program, to
16 keep that going instead of just the one time opportunity,
17 that would be a good opportunity to address some of these
18 old side issues.

19 So those would be coming forward in resolutions.
20 And on behalf of the ESJPA, we look forwarding to
21 participating in some of the discussions.

22 Thank you.

23 BOARD MEMBER JONES: All right. Nicole Wilkin,
24 Mothers and Others Against the Dump, MOAD, from Granada
25 Hills.

1 "I'm concerned about the conflicts related
2 to your mission statement. You say your goal is
3 to reduce generation and protect public health
4 and safety, neither of these goals are being
5 met, at least not in Los Angeles. We now have
6 the Sunshine Canyon dump expansion which was not
7 needed.

8 "BFI Allied Waste is a gross violator. They
9 should be penalized instead of rewarded with a
10 25 year contract.

11 "Our health issues fall on deaf ears. Why
12 should my five-year-old-son have to be subjected
13 to unmitigated circumstances, including short
14 and long term reduced lung function as cited by
15 a QMD? Please do your job, protect us."

16 Kim Thompson, North Valley Coalition, Granada
17 Hills.

18 "This organization supports the action plan
19 and hopes the problem with California landfills
20 will be alleviated. One of our main concerns is
21 with the LEAs and the way they operate."

22 Ann Ziliak, Granada Hills, North Valley
23 Coalition.

24 "Please adopt the action plan from the State
25 Auditor. Adopting this plan will make it safer

1 to live near landfills. However, landfills do
2 not belong near residential areas.

3 "Our community supports tough penalties for
4 violating state and local laws. We also
5 question the action of permitting new landfills
6 when California already has excess space.

7 "Adopting the action plan will move this
8 Board closer to meeting state emission."

9 Okay. Any other speakers want to jump in on
10 this? I have a couple of comments, and I wish that we
11 were here as six, but we're not.

12 As we do these guidelines and as we go through
13 this thing, it's obvious that we don't, I mean we have to
14 have discussions to see if we agree or not with these
15 things.

16 I will say that there was an article in the
17 Modesto Bee about the landfill expansion at the Merced,
18 California, Merced County's Highway 59 dump, where
19 Senator Roberti was quoted as saying, it says,

20 "Waste Board member David Roberti, who voted
21 against the permit, said members who supported
22 the county's request were wrong to ignore the
23 report. It was almost like doing business as
24 usual."

25 I want to, for the record, cause they didn't

1 call me from the Modesto Bee, just let everybody remember
2 that local government approved that project; local
3 planning approved that project; the Water Board approved
4 that project; U.S. Fish and Wildlife approved that
5 project; the Air District approved that project -- what
6 other Boards had oversight in that thing?

7 BOARD MEMBER PAPARIAN: Fish and wildlife.

8 BOARD MEMBER JONES: Fish and wildlife approved
9 the project; Board staff wanted the project. So every
10 approval process that went through and was approved.
11 Three voted against it. But the three that voted for it
12 they have characterized as being wrong because we didn't
13 follow the report. And I don't buy that, cause I don't,
14 still don't buy an awful lot of what the Auditor has
15 drawn to conclusions on some of the environmental issues
16 there.

17 So, you know, fair is fair, but I get
18 interviewed an awful lot in the newspapers and radio and
19 T.V., and I make sure that I try to honor the idea that
20 we're a congenial Board, collegial Board, and I don't
21 think me, Mr. Medina, or Mr. Eaton, as well as every
22 other agency in the State of California and the federal
23 government was wrong.

24 BOARD MEMBER PAPARIAN: I'm not going to respond
25 to the article because it also, something you didn't

1 quote from the article was the LEA's boss in my view
2 trashing three members of this Board. If you look for
3 that you'll find that in there as well.

4 But let me just say that as one of the three who
5 voted against that project, it wasn't because of the
6 Auditor's report that I voted against that project; it
7 was because of my belief that the permit itself would
8 lead to a project, and I believe the applicant's own
9 witnesses testified to this, that the permit itself would
10 lead to a project that we could expect would violate
11 state minimum standards.

12 That the only way they avoided violation of
13 state minimum standards was through construction of
14 landfill gas, landfill gas mitigation measures; and that
15 the only way they were going to do that was because of
16 commitments made outside of the permit.

17 So I don't appreciate the characterization that
18 I voted against this project because of the State
19 Auditor's report.

20 BOARD MEMBER EATON: I'm just quoting Senator
21 Roberti that's quoting us. What that LEA actually said,
22 and we get back to local officials, it said,

23 "Merced officials were pleased with the
24 outcome. We felt, we kind of felt like the
25 three dissenting members were venturing into an

1 area where they had no authority. Fortunately,
2 three didn't agree."

3 And that's where we talked about the
4 negotiations between Merced County and U.S. Fish and
5 Wildlife that took two years, and the Air District
6 issues.

7 BOARD MEMBER PAPARIAN: I --

8 BOARD MEMBER JONES: So I don't think he trashed
9 members, I think he just tried to say, you know,
10 everybody's got peace.

11 BOARD MEMBER PAPARIAN: I took that to mean he
12 feels I ventured into an area where I have no authority,
13 and I believe I do, and I believe I had a mandate. And I
14 understand we have a difference of opinion.

15 BOARD MEMBER JONES: And that's good because I
16 know we have a difference.

17 BOARD MEMBER PAPARIAN: That's why we're going
18 through this because --

19 BOARD MEMBER JONES: It's like the LEA
20 evaluation yesterday, they weren't telling us how they
21 dealt with LEAs, they were telling the Board members how
22 they go through a process to evaluate LEAs. It was just
23 a piece of what has been brought forward as a troublesome
24 area.

25 So I think it was a piece of the information

1 that members need to understand how the process works,
2 how the process is fulfilled, because we ask a question,
3 how do you evaluate LEAs? How do we know what they're
4 doing? So it wasn't the state of LEAs, it was the state
5 of the evaluation process.

6 BOARD MEMBER PAPARIAN: Uh-huh.

7 BOARD MEMBER MEDINA: Just speaking for myself
8 in regard to this, on every vote you make some people and
9 some people are not happy so, and I have no qualms about
10 my vote. From my perspective local government relied on
11 the existing policy, they were working with staff, and
12 they did what they saw was allowable. And so I think
13 that local government in that stance acted in good faith.
14 And so I don't have any qualms about my vote on that.

15 BOARD MEMBER JONES: Okay. What other direction
16 do we --

17 MS. NAUMAN: I have sufficient direction.

18 BOARD MEMBER JONES: Board members, I have a
19 question. Do we want to include the workshop that we had
20 when we talked about this with the Auditors there? Do we
21 want to, how does this work? I mean do we send them a
22 couple page letter, or do we need to get on the record
23 all of these other pieces?

24 MS. NAUMAN: We send them a couple of page
25 letter. I've provided an example to each of your offices

1 a few weeks ago on the sixty day report, excuse me, yes,
2 the sixty day report, and it's very brief.

3 We can include whatever the Board would like us
4 to include. And certainly we can talk about the fact
5 that the Board has already begun the process and spent
6 several hours reviewing the recommendations with the
7 Auditors present, and that we've continued to look at
8 items on a monthly basis, because we have since the
9 report has come out we've looked at some of the items on
10 a monthly basis. So we can include that as part of the
11 intro before we go into this explanation of the work
12 plan.

13 BOARD MEMBER JONES: How do the members feel
14 about including that workshop that we had? Is it
15 necessary? Not necessary?

16 MS. NAUMAN: I think it's okay.

17 BOARD MEMBER JONES: Okay. We have one more
18 speaker slip. Check Helget.

19 MR. HELGUT: Mr. Chairman, members of the
20 committee, Mr. Chuck Helgut representing members of
21 Allied BFI.

22 I didn't intend to make any comments on this
23 agenda item, and I would like to complicate -- compliment
24 the Board on the actions they've taken with regard to the
25 audit.

1 But the specific testimony that was read into
2 the record raised some questions on the record about the
3 operation of the Sunshine Canyon facility. And I think
4 the, I don't recall exactly, but something in the terms
5 of gross violations were referenced.

6 And I would assure you that we are working with
7 the LEAs, we are, I think, the only facility in this
8 state that has a full-time LEA present at our facility.
9 And if you think about the implications and the
10 ramifications of that; if every facility in this state
11 had an LEA residing at the facility, it would be a
12 different, I think, situation.

13 And the violations, alleged violations that have
14 occurred at that facility have been addressed very
15 effectively with the LEA. Many of those terms I have no
16 idea what specifically they're referencing, but are items
17 that have been raised in a newspaper near the facility
18 that I believe mischaracterize the activity that had been
19 going on. And we will be delivering information to each
20 of your offices regarding that.

21 If there are questions or concerns about the
22 operation of that facility, then I suggest or request
23 that the members and their staff get with me, give me a
24 call, and we'll make sure that you get all the
25 information that you need.

1 BOARD MEMBER PAPARIAN: I think you probably
2 know this, but I'm planning to visit the facility in a
3 couple of weeks.

4 MR. HELGUT: Yes, sir.

5 BOARD MEMBER PAPARIAN: And I'll also be meeting
6 with some of the concerned local citizens on the same
7 day.

8 MR. HELGUT: Uh-huh.

9 BOARD MEMBER PAPARIAN: But I'm going to do my
10 best to get as many of the facts as I can.

11 MR. HELGUT: And we welcome that opportunity to
12 give you facts as well. And many of the other members
13 have already visited the facility, and I think we'll be
14 having additional staff at the facility as well.

15 Thank you for the opportunity.

16 BOARD MEMBER EATON: In closing here, I think
17 that, Ms. Nauman, since the Santa Barbara one is coming
18 up, I think you ought to, for the audit report, deal with
19 the local issues framework. Because I just read an
20 article in the Sacramento Bee, as a matter of fact, that
21 the, there's a landfill that wants to increase its
22 heighth out in Roseville by X amount of feet, and/or it's
23 going to have to come there. And part of the reason is
24 the local governing Board, i.e., the city council out
25 there, has approved for an additional development of

1 homes to move next to that landfill.

2 So in a matter of five to six years we're going
3 to have those residents come to us telling us that the
4 landfill is a nuisance.

5 And I think those are the complications that we
6 hopefully in the study will be able to segregate and show
7 where there is disjointedness between local control and
8 basically state options. And that has happened on
9 numerous occasions.

10 That's not to say that it's acceptable or not
11 acceptable or that it's an excuse. But those are the
12 kinds of things that eventually wend its way to any
13 regulatory body that is up for overall statewide
14 perspective.

15 And I just wanted to, I was going to send you
16 the article anyways but it popped up right here, and it's
17 going to happen. Now, are we responsible for allowing
18 that development to move closer to within, you know, five
19 hundred feet of that facility? No. But eventually it
20 will come here, and we will have to deal with the issue
21 of basically capacity, the issue of nuisance, and so on
22 and so forth.

23 So I think, hopefully we'll be able to have some
24 of this report, audit report also give a framework of how
25 things can be fixed, both from a local control

1 perspective. And I believe they should have local land
2 use planning control.

3 So that's another one that I think is going to
4 be on your radar screen, I'll send you the article.

5 BOARD MEMBER JONES: Okay. Members, we're okay
6 with that direction?

7 MS. NAUMAN: Thank you for your direction.

8 BOARD MEMBER JONES: If it's Western Regional
9 Landfill that he's talking about, there was a, there was
10 a lawsuit filed by the developers who wanted to, they
11 actually, the county government wanted to have a pretty
12 big buffer, so I guess the citizens have spoken, yeah,
13 you know, who knows.

14 Thank you, Ms. Nauman. We're going to now have
15 a discussion on item number eight.

16 MS. NAUMAN: Thank you. Item number eight is a
17 discussion of burn dumps. And before I turn this over to
18 Scott and Mike flanking me here, I just want to give you
19 a little context here of why we decided to bring this
20 item forward to you.

21 This item and the next item, item number nine
22 which is a discussion of the 2136 program are related in
23 that the 2136 program has been the vehicle to address
24 abatement of burn dump sites.

25 The Board has approved 21 burn dump site

1 projects. Perhaps the most notable of those was the 38
2 and Redwood site in the City of San Diego.

3 And continues among local governments and LEAs
4 to be an area of some confusion, and a lot of interest in
5 seeking state assistance in addressing burn dump sites.

6 And I apologize for bringing you these
7 discussion items so late in a very, very long agenda, but
8 I really wanted to get it before you this month because
9 of two developments:

10 First, I wanted to inform you that the City of
11 San Diego has been in discussions with your staff, and is
12 asking to come back to the Board at your next meeting,
13 the March meeting, to discuss the possibility of
14 modifying the funding agreement that you reached with
15 them last January which, by the way, has never actually
16 been executed.

17 The site has been cleaned up by U.S. EPA, and
18 the City of San Diego wants to come back to the Board and
19 ask for additional assistance with that project.

20 Additionally, again at the initiative of the
21 City of San Diego, staff has been invited to participate
22 in some discussions about possible legislative changes to
23 the 2136 program to modify the Board's authority with
24 respect to burn dump sites.

25 So given those two developments, I thought it

1 would be helpful for us to provide some background
2 information for you as to what burn dumps are, where they
3 are, and how we, the Water Board and DTSC have been
4 working cooperatively to address the concerns that are
5 continuing to come from local government.

6 So with that let me turn it over to Scott Walker
7 and Mike Wochnick.

8 BOARD MEMBER EATON: And before you begin, part
9 of that preparation I would hope will be a history that
10 will be laid out in each and every legal document that
11 this Board tried to enter into with the City of San
12 Diego, in particular Mr. Rich Hayes who seems to not have
13 a big treasury. And I'll say it on the record, and I say
14 it on the record every time, he's got a tremendous
15 lucrative contract, and there's environmental justice
16 issues that they have failed to resolve and want to put
17 it to the Board, and now they've got a particular
18 legislator who may or may not want to carry the bill.

19 I think for the Board I want a full accounting
20 of the history in each and every document where we've
21 bent over backwards to try and show where we were willing
22 to give them money, to loan them money, but we weren't
23 going to buy homes that they have an obligation to
24 purchase.

25 And I think, you know, I think it's very

1 important, because these were individuals who were below
2 poverty line, and then also all the media articles. I'm
3 not going to go, I've got a pile too, so I'm going to
4 bring my file, but I also want a whole file because I
5 want a full story.

6 Because this is just another repeat of, you
7 know, what we ought to do is we want to change the 2136
8 program is go and change it, but I think, you know -- why
9 don't you go for the burn dumps, I'll wait for next
10 month.

11 But I'm just going to tell you, you know, it's
12 not going to be pretty.

13 BOARD MEMBER JONES: I mean having lived through
14 this, they, I think one thing too is the question about
15 long term liability that was asked from the dais by Mr.
16 Eaton that very first day has been the kingpin of this
17 issue.

18 And I think if the City of San Diego is going to
19 be coming up and talking to you guys, it would be helpful
20 to have your chronological history because, you know, it,
21 all these things were offered, but every time it was
22 making sure that this Board at that time said the
23 liability is with you, San Diego. And if that's going to
24 change that's, you know, that's going to be a problem.

25 BOARD MEMBER EATON: And I would request that

1 each and every one of the transcripts for every time that
2 the issue of the 38th Street dump came up be available,
3 so when the City of San Diego, and particularly Mr. Hayes
4 comes forward, his words and his recollection can be
5 refreshed.

6 MR. WALKER: Thank you. Yeah, we will
7 definitely be putting together an extensive item on that
8 to address your concerns.

9 Good afternoon. Scott Walker with the
10 Permitting and Enforcement Division. And what I'm going
11 to do is provide you with a broad overview of what burn
12 dumps are, what are the problems; and then I'm going to
13 lead to Mike Wochnick who will talk about an interagency
14 burn dump work group that we have been coordinating, and
15 the status of that.

16 On another note, Paul Manassian of the San
17 Diego, City of San Diego local enforcement agency was
18 going to provide some discussion of an LEA's perspective
19 in an area where burn dumps have had quite a bit of
20 focused attention and public concern, but unfortunately
21 he couldn't be here. But he did provide a handout that
22 we've provided to the Board members from him.

23 What is a burn dump? The accepted practice of
24 municipal solid waste disposal, up until the mid-1950's
25 to about 1972, is basically by mass burning in open

1 community dumps or burn dumps. That was a standard
2 practice utilized.

3 These burn dumps were phased out by local
4 ordinances and the Federal Clean Air Act, mainly because
5 of nuisances and air quality problems.

6 Board staff was screened through the entire
7 solid waste information system database, and we've
8 identified and prioritized 471 known or suspected burn
9 dump sites throughout the state. And these sites are
10 summarized in attachment one of the item.

11 There are other sites not included in this
12 attachment but, and these include a number that were
13 converted to sanitary landfills and even some of the
14 municipal solid waste landfills we see today which is
15 basically filled over the burn dump and continue to
16 operate, and have retrofitted into current standards.

17 Burn dumps typically contain very little
18 biodegradeable material, and therefore they generate
19 little, if any, landfill gas.

20 However, residual ash and contaminated soils
21 commonly have elevated metals, primarily lead, that pose
22 a threat to human health and the environment.

23 For residual ash, commonly these levels exceed
24 hazardous criteria under California requirements, but
25 they are rarely hazardous under federal requirements.

1 There's other compounds that are detected. Some
2 residual toxic organic compounds, generally very low
3 levels, they may incrementally add to the risk, but
4 generally but polycyclic aromatic hydrocarbons, PAHs, and
5 dioxanephrenes.

6 Additionally, there's been a number of
7 investigations of burn dump sites in terms of water
8 quality aspects. And burn dump ash is generally very,
9 has very little solubility, so it's really not a
10 significant threat to groundwater.

11 Burn dump sites can pose a threat to surface
12 water as a result of erosion and accumulation and
13 transfer of heavy metals into sediment and streams and
14 water courses.

15 The main constituent of concern, lead, is highly
16 toxic to humans, and it cause a variety of adverse
17 effects at low dose levels. Brain and kidney damage are
18 seen from acute or short-term exposure.

19 Chronic or long term exposure results in adverse
20 effects on blood, central nervous system and kidneys.
21 Children are particularly sensitive to the effects of
22 lead with slowed cognitive development, reduced growth,
23 and other effects reported.

24 A common way to confirm lead poisoning is
25 through the analysis of lead in blood, which is done

1 routinely.

2 At one burn dump site, radioactive waste was
3 found and appropriately removed. Radioactive waste,
4 essentially what we think may be happening here is that
5 in the past, especially in the twenties and thirties, you
6 know, there was a lot of products that had radioactive
7 materials in it, and society really did not understand
8 the environmental hazards of radioactive materials.

9 One thing that we do now though since that site
10 is we routinely screen for radioactivity on all burn
11 dumps. And fortunately at no other burn dump sites have
12 we detected radioactive waste to this day, so --

13 The risk to human health at burn dumps is
14 primarily at skin contact, and therefore the human
15 contact with exposed ash is a significant public health
16 and safety threat.

17 At most burn dumps it's common to see residual
18 pieces of glass and metal in surface soils. This
19 observation does not necessarily indicate a problem,
20 unless there is a human contact with exposed ash and
21 contaminated soils, and they show elevated levels of
22 lead. So just because you have a burn dump doesn't mean
23 you have a problem with public health and safety.

24 There are basically four remediation or
25 abatement options used for burn dumps.

1 The first is a minimal action under the
2 essentially ongoing inspections and tracking of land use
3 activities to control public contact.

4 The second is to basically cover it in place.

5 Third is consolidate and cover.

6 Or four is to completely or even partially
7 remove waste, which is termed clean closure, or partially
8 remove waste and place additional cover on.

9 All of these actions may include a post closure
10 land use development component.

11 Before I get to Mike I'd just like to summarize
12 that Board staff continue to identify, investigate, and
13 track all burn dump sites. And detailed investigations,
14 and, if necessary, enforcement actions are being
15 conducted of priority sites.

16 At this point of the 471, there are about 17
17 sites, nine priority A, eight priority B, these are based
18 on 2136 prioritization; and these are being worked on
19 right now and being addressed.

20 We feel confident that the public health and
21 safety issues are being addressed.

22 In addition, as Julie Nauman stated, under the
23 2136 program we have abated or remediated 19, an
24 additional 19 formerly high priority burn dump sites
25 where the responsible party can't be identified or was

1 unable or unwilling to perform timely cleanup. There are
2 two other projects in progress.

3 With that, before, I'd just like to acknowledge
4 Mike Wochnick for doing a really good job on this work
5 group, because it's been a real difficult project. And
6 with that I'll go to Mike and he'll tell you about the
7 work group.

8 MR. WOCHNICK: Thank you, Scott. I'm Mike
9 Wochnick with the Permitting and Enforcement Division.

10 Before I get into a lot of detail about the
11 work, I want to give you a little more background of the
12 agencies that are generally involved in remediating and
13 investigating burn dumps.

14 We generally have the LEAs, the Waste Board, the
15 Water Board, and the Department of Toxic Substances and
16 Control. And to kind of give you the fact of where they,
17 each agency gets involved.

18 The LEA is the primary one that's out
19 investigating and inspecting these sites. So they are
20 kind of our eyes and ears out in the field, and so
21 they're going to be doing that and also overseeing
22 remedial activities.

23 The Waste Board's main involvement comes in two
24 parts:

25 One is assisting the LEAs in these

1 investigations of sites. And with the recent enhancement
2 of the SIA program with the new unit, we're going to be
3 able to do that a lot more frequently than we have in the
4 past.

5 And additionally our, the other way we get
6 involved, as Scott and Julie both mentioned, is through
7 2136 cleanups.

8 The other two agencies, the Water Board and the
9 Department of Toxic Control, their involvement can come
10 and go depending on the particular site.

11 As Scott mentioned, the waste is generally not
12 highly soluble, so it's usually not a groundwater
13 threat. So unless there's a nearby surface water that
14 could be a threat from erosion and stuff from a burn
15 dump, the Water Board usually has very limited
16 involvement in these sites.

17 The Department of Toxic Substance and Control,
18 though, has, their volume is based on two factors:

19 One is whether any of the residual material can
20 be considered hazardous.

21 And two, whether there's a post closure land use
22 involved in the site.

23 Since these sites can be considered a hazardous
24 substance for each site as opposed to a hazardous waste
25 site, the Department of Toxic Substance and Control does

1 have jurisdiction over hazardous substance release sites,
2 and would review and could oversee post closure land
3 uses, if one is being proposed, other than non-irrigated
4 open space.

5 How we're dealing with the various toxic
6 regional offices, their involvement can be very limited
7 to a very detailed oversight depending upon the
8 characterization of the waste, and in particular the post
9 closure land use being proposed.

10 In some cases they turn it over to the LEA and
11 the Waste Board to completely oversee the remediation
12 because there's not a significant public health threat.

13 In other cases, they're involved directly
14 because of the high contamination and a high land use
15 such as residential.

16 If there's no post closure land use proposed,
17 toxics may get involved depending upon if the waste is
18 considered, some of the waste could be considered
19 hazardous or not. If none of the waste is considered
20 hazardous, they're not involved at all.

21 But if it is considered hazardous, depending
22 upon the type of remediation proposed, there may be a
23 necessity for a hazardous waste permit or some
24 requirements for meeting their handling criteria such as
25 manifesting. Like in a clean closure situation the waste

1 would have to be manifested as it goes to a legal point
2 of disposal.

3 Now to try to clear up some of the different
4 agencies' involvement, staff prepared an LEA advisory on
5 the remediation of burn dumps back in November of 1988 --
6 or 1998, excuse me. We thought that was doing pretty
7 good, but we found out over the last couple of years that
8 certain areas of the advisory were not as clear as we
9 thought they were originally written.

10 And so as part of that this burn dump work group
11 was developed and established, initially between the
12 Water Board and Toxics and the Waste Board, to try to
13 clarify the areas of the advisory that was somewhat
14 unclear, and to make it as clear as possible the
15 different agencies' involvement and concerns with burn
16 dumps.

17 That has recently been completed, and I believe
18 you have a copy of the clarification sheet that just went
19 out to the LEAs on this Tuesday.

20 Now that that's been accomplished we're planning
21 on expanding the workgroup to include LEA
22 representatives, and to go to what was task two of the
23 work group which is to come up with an enhanced advisory
24 to address changes in policies and procedures since the
25 original advisory was issued; to get a little more detail

1 on the various agencies' involvement; and also to
2 address, as much as possible, post closure land uses,
3 because the original advisory was silent on post closure
4 land use. Like I said, they were all handled on a case
5 by case basis.

6 And we're going to try to have the work group
7 get together and come up with some commonalities for any
8 sort of post closure land uses.

9 That concludes staff's presentation. I'll be
10 happy to answer any questions you might have.

11 BOARD MEMBER JONES: Members, any questions?

12 We have one speaker, we actually had two slips
13 but one was Justin Malan and I don't see him. I think he
14 faded somewhere in the middle of the second day.

15 Larry Sweetser, who never fades.

16 MR. SWEETSER: I like it here. Larry Sweetser
17 on behalf of the ESJPA, Environmental Services Joint
18 Powers Authority. I'll be brief on comments.

19 It was interesting going through the item and
20 noticing that about nearly half of those sites were in
21 rural counties, so it's a near and dear issue to the
22 counties I represent, and so we have asked staff to
23 include us in any discussion as the issue goes forward,
24 and we would appreciate that.

25 And we also appreciate maintaining all the

1 different options for the remediation, because all those
2 do need to exist for different sites.

3 The, we just received a copy of the draft
4 advisory clarification sheet, and we'll be looking that
5 over with interest.

6 But believe me, we do appreciate all the efforts
7 to develop guidance that's consistent with all the EPA
8 agencies, that would be, that's very helpful.

9 So thanks very much.

10 BOARD MEMBER JONES: Thank you, Mr. Sweetser.

11 Anybody else? Nope. All right.

12 Thank you for your report.

13 Item number nine.

14 MS. NAUMAN: Item number nine. This is a
15 discussion of the solid waste cleanup program policy.
16 And as I indicated in my opening remarks, this is the
17 financing mechanism that we have utilized to clean up a
18 number of different closed, illegal, or abandoned sites,
19 including burn dumps.

20 As you will recall, over the course of the last
21 couple of months, and particularly in the context of the
22 discussion of the Brawley item, a number of questions
23 were raised about the 2136 program, how it has somewhat
24 evolved through the development of criteria and
25 regulations and Board practice.

1 Legal counsel had raised some questions during
2 consideration of that item, and I thought it might be
3 helpful to raise those again with you in the context of a
4 discussion item not related to a specific project that we
5 were seeking approval of.

6 So what we've done is prepared this item. It
7 has an attachment which shows you the various categories
8 on financing mechanisms, the eligible recipients,
9 eligible sites, project funding limit, and Board actions
10 to date.

11 I know that you received a memo from the legal
12 office. Let me just, for the record, indicate the policy
13 issues that were raised and which you might choose to
14 address among the issues that you want to discuss this
15 afternoon.

16 The first question was under what circumstances,
17 if any, will the Board consider funding publicly operated
18 facilities under the direct expenditure category, which
19 is what we refer to as a poor managed cleanup?

20 Second question was, does the Board want to
21 further expand the types of contributions that can be
22 deemed legitimate in-kind contributions under the
23 matching grant program?

24 Third question is to what extent, if any, does
25 the Board want to manage projects which could otherwise

1 be managed by a local agency?

2 And fourth, should the AB 2136 loan program
3 provide interest-free loans as an incentive to
4 stakeholders to take advantage of the program?

5 In light of the fact that others are looking at
6 this program and suggesting possible legislative changes
7 to it, we'd also be interested in the Board's discussion
8 and direction to us as to how you want us to operate the
9 program, whether you're comfortable with the way things
10 have been going, whether you want to seek your own
11 legislative changes to strengthen the program or change
12 direction in any manner, and again to ensure that we have
13 adequate legal statutory authority for our current
14 practices.

15 BOARD MEMBER EATON: I've been reading all of
16 our bills that they send around for us to review. I
17 haven't seen one that dealt with 2136, so perhaps you can
18 shed some light on who the authors are or have you seen
19 some language?

20 MS. NAUMAN: I have seen some proposed language
21 from the City of San Diego at the meeting we were invited
22 to about a week ago. That language has not found its way
23 into any bill yet.

24 We have agreed to continue, through the working
25 group that we just talked about, to continue to discuss

1 ways to streamline the program to better enable us to
2 assist local governments. But as of this point in time,
3 I don't know of any specific bill or author committed to
4 carrying any bill.

5 BOARD MEMBER EATON: I'd like a copy of these.
6 I don't know about the other Board members, but I think
7 it's incumbent on us to deal with the 2136 program that's
8 within our jurisdiction as to the expansion or whatever.

9 MS. NAUMAN: So would you like a copy of the
10 language that they shared with us?

11 BOARD MEMBER JONES: I think to all of us.

12 MS. NAUMAN: I think Scott might have had some
13 other comments he wanted to provide prior to your
14 discussion.

15 MR. WALKER: Yeah, Scott Walker again,
16 Permitting and Enforcement Division.

17 Again I'm going to be real brief and leave it up
18 to questions and direction. But essentially to
19 summarize, you know, this program is the major component
20 in the Board's mission to protect public health and
21 safety and the environment, and provide local assistance.

22 We've handled a lot of the most egregious in
23 cases of solid waste problems in the state since the
24 program was initiated in 1994, basically cleaning up
25 sites where there's either no responsible party or

1 responsible parties are unable or unwilling to perform a
2 timely remediation.

3 There's been completed about a hundred projects
4 which include, which include about a hundred and fifty
5 sites. The program requires a lot of collaboration,
6 coordination with LEAs and other agencies, as you may
7 have seen through the items that come forward on a case
8 by case basis that are approved, or considered and
9 approved.

10 And without getting into the funding options,
11 Julie mentioned those funding options, we can talk a
12 little bit more about that. I want to just go into a
13 little bit more of the summary of the policy, overall
14 policy items and the considerations and approvals since
15 the program was initiated.

16 Initial guidelines and implementation of
17 legislative intent was approved in February, 1994 and
18 revised again in September, '94 and March of '95. In
19 February of 1999 the Board approved the policy on site
20 prioritization with respect to public health and safety
21 and the environment.

22 At the time the Board had considered cost
23 recovery policy, but that got deferred to further items
24 and further discussion, which a couple Board meetings
25 from that, in June of '99, policy and cost recovery was

1 approved.

2 Then again in August of 1999, the Board
3 considered policy and emergency response and remediation
4 of the special site fires. At that time it also
5 discussed maximization of Board funds for Board managed
6 projects through contributions to the cash or in-kind
7 services.

8 The Board discussed implementation of AB 992,
9 enforcement activities and efforts to increase outreach
10 on urban sites, ground fuels, and environmental justice.

11 Assembly Bill AB 992 became effective in January
12 1, 2000. And this provided some significant improvements
13 to the solid waste cleanup program.

14 One of the main things it did was eliminate the
15 annual spending cap of five million dollars per fiscal
16 year. It also, another thing it did was expand potential
17 eligible parties for grants or loans.

18 And we're starting to see some increase in the
19 grants because of the provisions in 992 that we're
20 starting to see.

21 And the culmination was, and again we've had
22 numerous Board meetings on the regulations, and they
23 finally got approved by the Office of Administrative Law
24 and became effective in September of 2000. And these
25 regulations incorporated the policies approved to date,

1 including the provisions of AB 992.

2 Mike Wochnick mentioned in the burn dump
3 discussion item that the Board is, has started an
4 enhanced program for closed, illegal, and abandoned
5 sites. A budget change proposal was approved last year,
6 and the staff was hired up in January of 2001.

7 The enhanced CIA program clearly addresses the
8 need for additional resources to identify, investigate,
9 and enforce at closed, illegal, and abandoned sites.

10 And this will help identify potentially eligible
11 sites for cleanup under the solid waste cleanup and farm
12 and ranch program. This program will also help us to
13 meet the technical assistance demands for the LEAs in
14 some really complex projects that happened that are being
15 remediated or cleaned up by the responsible parties that
16 2936 will not get involved in.

17 The CIA program, it is starting to establish a
18 much more proactive approach than the CIA program, and we
19 are seeing some of the results. We're getting much more
20 timely and complete identification, evaluation, and
21 enforcement of these sites that pose the highest threat
22 to public health and safety and the environment.

23 And the other thing is we're also identifying a
24 lot of new sites, primarily illegal disposal sites.
25 We're identifying new sites that we have a need to

1 address.

2 The CIA programs also result, we're doing a lot
3 more outreach. And an example is a recent training
4 program on illegal dumping that was attended by over 220
5 local, state, and federal agencies. And this was a very
6 successful training program, and I'd like to commend
7 Georgianne Turner and Sharon Anderson on that program.

8 Essentially, and also in conjunction with the
9 CIA site program, periodic records will be provided to
10 the Board on the status of sites and their
11 identification, assessment, and cleanup.

12 And again to conclude, this item is essentially
13 to seek from the Board any particular areas that they'd
14 like staff to further evaluate in terms of policy
15 development and stakeholder input.

16 And with that, I'd like to offer to answer any
17 questions or, that the Board members would like.

18 BOARD MEMBER JONES: Any questions from members?

19 BOARD MEMBER EATON: No, but I think it would be
20 great since the Department of Toxics got some X amount of
21 dollars, what was it 70 or 85 million Mr. Lowery
22 mentioned for his brown field project, perhaps maybe with
23 the inventory that we already know exists out here, why
24 don't we just have a proposal by which we get a fund of
25 money, and then we don't have to deal with this whole

1 idea of burn dumps and all this other stuff. Say this is
2 a pot of money right here set aside, go for a hundred
3 million, say we're going to clean up the 2,500 sites, the
4 burn dumps, and be done with it, and that program works
5 that way. Instead of arguing over who should get
6 priority and who shouldn't.

7 That's what I would like to see happen. Because
8 otherwise it's just an underfunded or, you know, sort of
9 who can justify the best.

10 MS. NAUMAN: When we had the meeting that I
11 referred to earlier with some legislative staff, Toxics,
12 and the City of San Diego, we talked about various
13 approaches to dealing with the burn dump issue, and one
14 of the suggestions, of course, was to modify the 2136
15 program.

16 There was also some limited discussion about
17 trying to build a case for what you're talking about, Mr.
18 Eaton, a program specifically focused on burn dump sites
19 or closed, illegal, and abandoned sites, with a
20 significant amount of money made available just to
21 address that problem, and leave the 2136 program kind of
22 as is to deal with the, you know, sites as they come up.

23 But to a concerted effort, if you will, to try
24 and identify a funding source, and just take the problem
25 on head-on and deal with it and be done with it.

1 Now again, those were very preliminary
2 discussions, but that strategy at least has been
3 suggested.

4 BOARD MEMBER JONES: I think with some of the
5 environmental justice issues around the San Diego issue
6 and others, we're going to keep seeing 'em. I mean it
7 makes a lot of sense to, at least to spend some time
8 trying to develop something like that. Because clearly
9 the legislature and the Governor has made it a priority
10 to make sure that environmental justice is going to rise
11 to the top.

12 And while we're doing brown fields, there is
13 going to be a need if we can demonstrate the need, San
14 Diego's liability alone may demonstrate the need.

15 Any other members have any comments?

16 BOARD MEMBER EATON: Has San Diego cleaned up
17 any of the burn dumps? Did they clean up the Noah
18 Webster site, the one that was near the school? Was it a
19 private school, wasn't it?

20 MR. WOCHNICK: Yeah, there's, the Kearney, I
21 think it's Kearney Mesa Francis Parker site, which is a
22 school, which is a private school, they have done some
23 preliminary like fence and post to keep, it's a very
24 steep area in the school, there's not an exposure issue,
25 but they still will down the road have to do some

1 additional work there to deal with that.

2 There is another school site, Noah Webster,
3 which we, the LEA asked our CIA program to provide
4 assistance. And we've been out to the site with the LEA,
5 and that site is in pretty good shape. I mean there's no
6 exposed ash, and the school has got a very good cover.
7 There may be some soils outside in the public sidewalk
8 area, but we're writing up the report right now. But it
9 looks like that site is really in good shape and not
10 really a threat.

11 The biggest site that they have right now which
12 is, really looks like it could be a big problem is the
13 Quince Street which is actually several blocks away from
14 38th and Redwood. 38th and Redwood is pretty much,
15 pretty much done.

16 Quince Street there's probably at least around,
17 there may be 21 homes that have ash. But again, the city
18 is doing an in progress investigation in response to an
19 order from the LEA on that on that, and that is ongoing.
20 But that one looks like probably the most serious.

21 Beyond that there's a couple others, but nothing
22 nearly, I think there's about a dozen sites total, but
23 the Quince Street site down the road is probably the
24 biggest one they're going to be dealing with.

25 BOARD MEMBER EATON: The city LEA has imposed

1 that upon its own city?

2 MR. WOCHNICK: The city LEA, I would have to say
3 in the discussions of conflict of interest, this is one
4 LEA that has really, really stuck his neck out and has
5 taken a lot of heat. But he has actually been a major
6 force behind dealing with the burn. He is really getting
7 a lot accomplished with a lot of pressure against him,
8 but he is really doing an excellent job.

9 BOARD MEMBER EATON: Thank you.

10 BOARD MEMBER JONES: And that was an LEA that we
11 had given time until he could prove it, I guess he proved
12 it. He didn't do it automatically.

13 If there aren't any other questions I think that
14 Todd and Wes and Mike, Scott, Julie, the rest of your
15 team that works on these issues, you guys do a great job.

16 I want to know, not during this meeting, but
17 where we are on San Bernardino. When Mr. Eaton was
18 chairman he held my feet to the fire and said you have to
19 get this done within this much, and I know they're very
20 close to finishing a three and a half million dollar
21 cleanup with \$750,000 of our money.

22 So we, I think this program works. We have our
23 difficulties once in a while. All right. That's the end
24 of item number nine. Is there any public comment?
25 Really?

1 Thank you, Doris. Thanks, staff, members. Good
2 three days. Thank you. This meeting is adjourned.

3 (Thereupon the foregoing was concluded at
4 3:24 p.m.)

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I, DORIS M. BAILEY, a Certified Shorthand Reporter and Registered Professional Reporter, in and for the State of California, do hereby certify that I am a disinterested person herein; that I reported the foregoing proceedings, in shorthand writing; and thereafter caused my shorthand writing to be transcribed by computer.

I further certify that I am not of counsel or attorney for any of the parties to said proceedings, nor in any way interested in the outcome of said proceedings.

IN WITNESS WHEREOF, I have hereunto set my hand as a Certified Shorthand Reporter and Registered Professional Reporter on the 6th day of March, 2001.

Doris M. Bailey, CSR, RPR, CRR
Certified Shorthand Reporter
License Number 8751